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GREEK PROVERBS IN THE GOSPEL

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I

CHRISTIANITY arose in an environment which was, on the one hand, still dependent upon the traditions of the Jewish Church but, on the other, wide open to Hellenistic civilization. There exists today a strong and in many respects very healthy tendency to test the Gospels for Aramaic origin, the results of which are at the same time stimulating and challenging.¹ However, even if the view that major portions of the four canonical Gospels are translations from the Aramaic be accepted, we are still faced with the question where the ideas behind the words came from. For it is not only risky to assume that the translations themselves were uncritical, quasi-mechanical versions, especially in view of the fact that the contemporary Greek translations of the Old Testament as well as the early translations of the Greek New Testament into other languages show a fair amount of skill;² but also the Aramaic original itself may have been influenced by Greek ideas and in this way may have determined the translator's method. The original Aramaic language does not also guarantee the Semitic origin of the thought expressed thereby.

This paper is meant to illustrate the fact that Jewish texts in Aramaic as well as in Greek lent themselves readily to the adaptation of Hellenistic ideas. For this purpose the material has been chosen from the Apocrypha and from the Sayings of Jesus. With

¹ Cf. the excellent study by M. Black, *An Aramaic Approach to the Gospels and Acts* (1946).

² Augustine's verdict on the *Vetus Latina*, *Doctr. Christ.* 2.11 fin. *ut enim cuique primis fidei temporibus in manus venit codex Graecus et aliquantulum facultatis sibi utriusque linguae habere videbatur, ausus est interpretari*, is hardly fair.

the exception of the one Jewish apocryphal text a Semitic original of the texts under discussion is virtually certain. For just as Jesus' disciples discoursed in their native Galilean (Mark 14.70 par.), so did their Master. Therefore, unless the Sayings quoted are spurious, which seems unlikely as they all come from Q,³ they were originally spoken — and probably even written — in Aramaic. Yet they also show a close relation to current Greek proverbs. This source is now almost silent, because we mainly possess the remnants of the great literature of the time, but in the Hellenistic period it seems to have influenced Greeks and barbarians very strongly.

It must not be argued, therefore, that the comparatively small number of instances given here proves little, for they are chosen from a much larger store of material. In the eighteenth century J. J. Wettstein collected an abundance of Greek and Latin parallels to the New Testament. This collection, it is true, does not satisfy modern theologians, because sometimes the analogies are only superficial and the foundations of the vast edifice are in any case less sure than those of P. Billerbeck's collection of Talmudic parallels. Wettstein is thus more often used as a quarry than as a theological authority. This paper is meant to contribute in a small way to the foundations of a new Wettstein which, it is hoped, may one day take its place beside Billerbeck. It is for this reason that only proverbial sayings have been chosen. Proverbs are, so to speak, the lowest common denominator of moral philosophy and will allow for a great variety of ethical conclusions to be drawn. It would be fatal to say: Christianity is Hellenistic any more than it would be to say that it is Jewish; but it is essential to see that and how, right from the days of Jesus' ministry in Galilee and Jerusalem, Greek modes of thought were not excluded from the preaching of the Gospel.⁴

³ M. Dibelius, *From Tradition to Gospel* (1934) 233 sq., assumes that "the text (of Q) used by Matthew and Luke was in Greek," but even he, reluctantly, allows for the possibility that the earliest collection of Sayings of Jesus was in Aramaic.

⁴ It is with a certain concern that we see Greek and Hebrew thought so diametrically opposed as black and white, as has been done recently, e.g., by J. A. T. Robinson, *In the End God . . .* (1950) 11;49 and *passim*.

II

a) The first Jewish example is taken from the book of Ecclesiasticus 30.20b. The line in question is preserved in Greek, and also in Hebrew in one of the Genizah mss. (B).⁵ There is no doubt that it contains a thought which was current amongst Alexandrian Jews in the third and second centuries B.C. The Greek version is verbally identical with the Hebrew *ὥσπερ εὐνοῦχος περιλαμβάνων πάρθενον* [καὶ στενάζων], so that there may be doubts as to its priority over against the extant Hebrew.⁶ "As an eunuch embraceth a virgin" is a very telling simile, and it may be asked whether Ben-Sira himself invented it or not. In favor of an Eastern origin may be the fact that eunuchs were more common in the East than in Greece where they had not been known in earlier times. It may also be said that a comparable remark in Juvenal,⁷ who says *cum tener uxorem ducat spado*, is no more than a distant parallel; and even in the case of Lucian's⁸ the parallel may not be wholly conclusive. He says of an uneducated person buying books "sooner should a bald man buy a comb, or a blind man a mirror, or a deaf one a flute-player, or an eunuch a young woman" (οὐ μᾶλλον ἢ φαλακρὸς ἄν τις πρίαιτο κτένα ἢ κάτοπτρον ὁ τυφλὸς ἢ ὁ κωφὸς αὐλητὴν ἢ παλλακὴν ὁ εὐνοῦχος), and this agrees with the saying in Ecclus. 30.19 sq. "what good doeth the offering to an idol? For neither can it eat nor smell: so is he that is persecuted of the Lord, he seeth with his eyes and groaneth, as an eunuch that embraceth a virgin." The proof that these sayings have a common source is to be found in the fact that we find in a collection of Greek proverbs,⁹ that *εὐνοῦχος παλλακὴν* was a popular Greek saying. Therefore it is reasonable to assume

⁵ Cf. the text in H. L. Strack, *Die Sprueche Jesus des Sohnes Sirach* (1903) 22; N. Peters, *Der juengst wiederaufgefundene hebraeische Text des Buches Ecclesiasticus* (1902) 107. R. Smend, *Die Weisheit des Jesus Sirach* (1906), has been inaccessible to me.

⁶ Καὶ στενάζων is spurious, mechanically repeated from v. 20a. In order to claim the priority of the Hebrew over the Greek, it would have to be assumed either that the mistake was already made by Ben-Sira himself whose ms. was translated by his grandson and served as the ultimate source of the Genizah ms. or that the same mistake was committed by a Greek and a Hebrew copyist independently.

⁷ Juvenal I. 22.

⁸ Lucian, *Adv. Indoct.* 19.

⁹ Leutsch-Schneidewin, *Paroemiographi Graeci* I (1839) 459.

that Ben-Sira as well as Lucian, and even Juvenal, used this proverb for their various purposes, which in each case was the description of something which, though desirable in itself, was useless to its owner.¹⁰

In other words, we have here a verse from a Jewish apocryphal writing witnessing to the popularity of a somewhat disreputable Greek proverb. Perhaps there is another verse too (Ecclus. 20.4) which bears witness to the same proverb. How did it happen that such a proverb made its way into the religious literature of the Jews, a place where it is least expected? It is true, of course, that Alexandria, where Ecclesiasticus was written, was more licentious than the Palestinian country and was also the very centre of Hellenism. It would be misleading, however, to claim that Ben-Sira's simile was therefore altogether detached from Jewish thought of the Palestinian type. For Hellenistic influences were very strong in Palestine under the Seleucid reign. The most that can be said is that "Ben-Sira's general standpoint was Sadducean,"¹¹ i.e., he was inclined to compromise with Hellenism in a way similar to the later party of the Sadducees in Palestine. His general outlook and wide travels in the Hellenistic kingdoms of his day which caused Jesus ben-Sira to open his mind to the influence of Greek civilization, not only in his thought but even in the expression of his thoughts, were the common experience of many Jews of his time who, like him, still preferred to use the language of their forefathers.

b) A similar tendency to use Hellenistic matter still existed in Jewish circles at the time of the early Church; and in the instance we are now going to analyze, the Greek idea which was adopted had more than a flavor of heathendom. It was the outcome of moral convictions which had long been embodied in the religious teaching of Greece. The saying to which we refer is found in the appendix to the Ezra-Apocalypse which is now usually described as 6. Ezra, i.e. the 15. and 16. chapters of 2. Esdras in the Apocrypha of the A.V. There we read:

¹⁰ According to V. Ryssel in E. Kautzsch, *Apokryphen und Pseudepigraphen* (1900) I, 382 sq., "he that is persecuted of the Lord" is a sick person.

¹¹ W. O. E. Oesterley, *An Introduction to the Books of the Apocrypha* (1935)

16.49 (vulg.) *Tanto magis adzelabo eos super peccata sua, dicit Dominus, 50. quomodo zelatur fornicaria mulierem idoneam et bonam valde, 51. sic zelabitur iustitia iniquitatem, cum exornat se, et accusat eam in facie, cum venerit qui defendat exquirentem omne peccatum super terram.*

16.48 (A.V.) The more will I be angry with them for their sin, saith the Lord, 49. like as a whore envieth a right honest and virtuous woman: 50. so shall righteousness hate iniquity, when she decketh herself, and shall accuse her to her face, when he cometh that shall defend him that diligently searcheth out every sin upon earth.

Regarding the date of the text quoted, it is generally accepted that the two last chapters of 2. Esdras were added to the Ezra-Apocalypse proper (comprising 2. Esdras 3-14) only in the course of the third century A.D. But this view neither determines the time when these chapters were written nor does it say anything about their origin. Even if the Christian origin of 2. Esdras 1-2, another accretion to the Ezra-Apocalypse, should appear probable, chapters 15 and 16 would have to be judged on their own merit.¹² H. Gunkel¹³ has correctly stated that Christian origin cannot be claimed for chapters 15 and 16 with any certainty. In fact, there is not a single feature in these two chapters which would appear to be specifically Christian; there are, on the other hand, references to the temple in Jerusalem (15.25), its priests (16.36), and the prohibition to eat sacrificial meat (16.71). These seem to be sufficient reasons for assuming that 6. Ezra was written by a Jew before A.D. 70.¹⁴ As to its original language, there is hardly a clue. Although the predominant view is that it was Greek, frequent Semitisms which make themselves still felt in the Latin and the whole character of the work which is fiercely

¹² E. Schuerer, *Gesch. d. Jued. Volkes* 4th ed. 3 (1909) 316, and G. H. Box in R. H. Charles, *Apocrypha and Pseudepigrapha* (1913) 2, 549, should not have combined 5. and 6. Ezra in claiming their Christian origin, neither is the general argument proposed by P. Riessler, *Altjued. Schrifttum ausserhalb der Bibel* (1928) 1285, convincing, who says that they are Jewish, as "it is impossible that a Christian should have written a book under the name of an O. T. Saint."

¹³ In E. Kautzsch, *Apokryphen und Pseudepigraphen* (1900) 2, 332, Gunkel says of 5. and 6. Ezra, "das erstere Stueck ist sicher christlichen Ursprungs, vielleicht auch das zweite."

¹⁴ P. Riessler, *op. cit.* 1287, who believes that 6. Ezra was written in the late 1st century B.C., gives an impressive list of contemporary events to which the book refers — if the date is correct.

Pharisaic, make it at least possible that it was originally written in Aramaic. In any case it may well serve as an illustration of the Jewish mind at the time of Jesus Christ.

The passage which has been quoted, exhibits an ill-adapted illustration comparing the zealous Lord avenging injustice to "a whore envying a right honest and virtuous woman." Before an attempt is made to explain this surprising incongruity, which shows a break in the argument caused by the intrusion of an alien element, it is necessary to refer to the Hellenistic parallel which we have in mind. This is to be found in Pausanias' description of the shrine of Kypselos. There in one of the scenes depicted on the shrine, was found "a comely woman punishing an ill-favoured one, justice (*δίκη*) overpowering unrighteousness (*ἀδικία*)." ¹⁵ This was a scene which became popular among the Greeks, as may be seen from Hellenistic vase paintings.¹⁶ It is understandable that similar Persian ideas were easily combined with this Greek conception.¹⁷ The Persian idea, however, contained only one female figure. It was the *Drug*, the power of evil, which attacked the world of the good God:

Yašt 19.90 "when the creation will grow deathless — the prosperous creation of the Good Spirit — and the *Drug* shall perish, though she may rush on every side to kill the holy beings" etc.¹⁸ Thus it appears that the imagery employed is Hellenistic: the honest woman and the harlot fighting are taken from the complex of ideas alluded to in Pausanias' description of the shrine of Kypselos. The Persian idea comes in, however, insofar as the initiative is left to the figure representing the power of evil. This was not changed by the author of 2. Esdras 16.48(49) sq., however much it disturbed his purpose. It may therefore be con-

¹⁵ Pausan. 5.18.2.

¹⁶ Cf. the illustration in J. G. Fraser, *Pausanias Descript. of Greece* (1898) 3, 612, also in A. Baumeister, *Denkmäler* (1888) 2, 1300 pl. 1442. Cf. also Hitzig-Bluemner's commentary and my remark in *Harv. Th. Rev.* (1945) 182 n. 16.

¹⁷ P. Boehlig, *Geisteskultur von Tarsos* (1913) 103; 104 n. 2, derives the Pauline idea of the struggle between truth (*ἀλήθεια*) and injustice (*ἀδικία*) from Persian examples, quoting as evidence *Bundahish* 30.29 "afterwards Aûharmazd seizes on the evil spirit . . . true speaking on what is evil speaking," E. W. West, *Pahlavi Texts* 1 (1880) 128. It seems possible that the fact that these are the only abstract ideas matched in the great struggle may be indicative of an influence of Greek philosophical thought upon the Persian text.

¹⁸ J. Darmsteter, *The Zend Avesta* 2 (1883) 307, cf. P. Boehlig, cit.

cluded that the Persian conception was firmly established in his mind, so that he appears as an oriental, probably from Palestine, where such ideas had taken a firm root since the days of the Achaemenids.

Old Testament ideas of justice — and it must be remembered that the fight between justice and injustice is expressly mentioned in 16.49(50) — and Christian ideas too, cannot be adduced to elucidate the allegory. Whether or not 6. Ezra was originally written in Aramaic, it is certain that it employs a popular Hellenistic idea of a proverbial character, although this idea was by origin and intention far removed from the doctrinal system of Judaism. It is true that the concept which the writer employed is not so much a proverb in the narrower sense as a proverbial symbol, representing a popular Hellenistic conviction by means of a picture rather than a phrase; nevertheless it is an instructive example for the characterization of the Evangelists' minds, who so often had to put new wine in old bottles.

III

Jesus himself was just as ready as these Jewish authors to adopt Hellenistic proverbs. Certain Sayings of his are put in such a form in the Gospels, that they call to mind Greek proverbs preserved in secular pagan writings. Of these three have been selected to illustrate his use of the material upon which he worked.¹⁹ They are all well attested, since they are derived from Q, that early collection of his Sayings²⁰ which can claim a fair measure of authenticity, although it shows here and there "traces of a more advanced development."²¹ The first two are preserved by Matthew and Luke: Matth. 11.17 = Luke 7.32, and Matth. 24.28 = Luke 17.37; but even the third, which is only found in Luke 16.8b, and which therefore must have passed through Proto-Luke, shows that it ultimately stems from Q.²²

¹⁹ Another instance, the parallel between Matth. 8.21/2 par. "let the dead bury their dead" — also originating from Q — and Eurip. *Alcest.* 894 schol. ed. E. Schwartz 2, 304, 3 sq., and related texts, demands a more detailed examination, which I hope to give elsewhere.

²⁰ Cf. M. Dibelius, *From Tradition to Gospel* (1934) 244 sq.

²¹ M. Dibelius, *op. cit.* 245.

²² B. Weiss, *Die Quellen des Lukas-Evangeliums* (1907) 249 sq.

a) Matth. 11.17 par.

"We have piped to you and ye have not danced;
We have mourned unto you and ye have not lamented."

Since J. Wellhausen's²³ time it seems to be agreed that this verse reproduces an Aramaic original because of "the antithetic parallelism, rhythm and even rhyme which are found in this couplet"²⁴ whenever it is read in the various Syriac translations. On the other hand, the first line of the couplet has a very close parallel in an old Greek fable—but not the second. Moreover, the parallel is one of concept rather than of actual wording:

Herodot. 1.141 "a flute-player saw the fish in the sea and played his flute believing that they would come to land. Finding, however, that he was mistaken, he took a net and enclosed a great many of the fish and pulled them ashore. Seeing them jump, he said to the fish, 'Stop dancing, for you did not come to dance when I played for you.'"

Herodotus tells us this story as the reply of the victorious Cyrus to the Ionian cities, which had applied for treaties after his conquest of the Lydian kingdom. It comes from the great stock of Aesop, and it would be interesting to know whether Herodotus' or Aesop's version was responsible for Jesus' parable. For, if the former should be the case, the parable would form a telling introduction to Jesus' lament over the Galilean cities by which it is followed in Matthew, whereas Luke has separated the two pieces (7.32 and 10.19 sq.).

The lack of interest in this parallel shown by both classical scholars and theologians is unjustified. For instance How and Wells²⁵ merely remark in their commentary on Herodotus: "the fable is part of a collection bearing Aesop's name. For it cf. St. Matth. 11.17"; and Th. Zahn²⁶ says, "there is nothing to learn from the parallel in Herod. 1.141, cf. Aesop Fab. 27^b (Halm), except that playing a flute meant an invitation to dance."

However, at least one further question has to be answered:

²³ Quoted from E. Klostermann, *Matthaeus* 2nd ed. (1927) 101, who does not refer to any specific work of Wellhausen's.

²⁴ M. Black, *An Aramaic Approach* (1946) 118 sq.

²⁵ W. W. How and J. Wells, *A Commentary on Herodotus* 2nd ed. (1928) 1, 118.

²⁶ Th. Zahn, *Evangelium des Matthaeus* (1903) 430 n. 27.

when and why was the second line added to the couplet? There is no Greek parallel to it and it seems as if the violent forms in which grief was expressed in the East were more restrained in Greece.²⁷ Moreover, the line is found independently existing in Ecclus. 7.34 "fail not to be with them that weep and mourn with them that mourn."

There is a very early Christian source indicating that this Saying of Jesus was known in the form in which we have it in the earliest days of the Church, for it seems evident that Rom. 12.15 "rejoice with them that do rejoice and weep with them that weep," echoes Jesus' Saying in Matth. 11.17 — or rather Luke 7.32 — but we cannot draw the conclusion that it was Jesus himself who was the first to pair the two lines of the couplet. This was done even earlier, as appears from a Jewish proverb, quoted by P. Billerbeck amongst his other parallels:²⁸

"Rab Papa (ob. A.D. 376) has said: This is what is said by the people (i.e. proverbially): 'whether you cry in the presence of someone who does not understand or laugh to someone who does not understand, woe to him who does not know how to distinguish between good and evil.'"

Granted, this analogy is only late, yet it contains a reference to an earlier proverb which can hardly be derived from Jesus but which said something very much akin to his teaching. It must have sprung directly from Prov. 29.9 "if a wise man contendeth with a foolish, whether he rage or laugh, there is no rest." We therefore come to the conclusion that a Jewish proverb, derived from Prov. 29.9 but strongly influenced by Aesop's fable, and possibly by Herodotus, was in existence to be used by Jesus. In any case, the foreign origin of Jesus' Saying is still recog-

²⁷ This may be the reason for the change from ἐκόψατε in Matth. to ἐκλαύσατε in Luke, stated but not explained by G. B. Kilpatrick, *The Origins of the Gospel* according to St. Matthew (1946) 15. For the law of Solon restricting funeral rites, which is repeatedly quoted by later authorities, e.g. Cic. *De Leg.* 2§59, although it did not prohibit the beating of breasts, contained, according to Plut. Solon 21.5, the words ἀμυχὰς κόπτειν, and consequently made the word κόπτειν obnoxious. For as a legal term κόπτειν was used to describe an activity which, on the authority of Solon, came to be regarded as immoral.

²⁸ P. Billerbeck, *Kommentar z. N. T. aus Talmud und Midrasch* 1 (1922) 604. A. Schlatter, *Der Evangelist Matthaeus* 2nd ed. (1933) 372 sq., has no convincing analogy to offer.

nizable by the fact that the allegory does not fit well into the context. Thus the result is reached that in Matth. 11.17 par. we have a verse, Aramaic in origin, yet at least partly dependent upon thought which had been fashioned into a proverbial saying in Greek surroundings.²⁹

b) Matth. 24.28 = Luke 17.37 "wheresoever the carcase is, there the eagles will be gathered together." Matthew and Luke have the same Greek wording with one exception: Matthew uses *πτῶμα* for carcase and Luke *σῶμα*. With regard to meaning this is a distinction without a difference, for *σῶμα* is often used by the LXX to mean corpse; for our purpose, however, the change in Luke will prove to be significant.

There can be no doubt that this Saying of Jesus has a proverbial character. Old Testament parallels have been adduced by various writers. Of these Hab. 1.8 "they shall fly as the eagle hasteth to eat," which is frequently referred to, lacks all the mention of the carcase and is therefore rather unconvincing. On condition it is far better to accept Billerbeck's and Bultmann's reference to Job 39.30 "where the slain are there they (i.e. the young eagles) also are," the condition being that W. B. Stevenson's thesis be accepted, that this semi-verse "is a superfluous and disconnected part of the composition," and that "it may well be an intrusive proverbial saying or an adaptation of such a saying."³⁰ In order to prove this thesis we have to resort to another verse of Job, in which both the name of the bird (which is lacking in Job 39.30b) and also the word *πτῶμα* appear (for which the Greek of 39.30b has *τεθνεῶτες*) and which is of a proverbial character. So far

²⁹ R. Bultmann, *Gesch. d. Synopt. Tradition* 2nd ed. (1931) 219 n. 1, quotes an Arabic proverb as a parallel to Matth. 11.17, saying "when he applauds you acclaim him." This is but a remote analogy, for this proverb says hardly more than the Latin *manus manum lavat*, and shows nothing of the "too late," which is so prominent in Aesop and Matthew. The Talmudic parallels to Rom. 12.15 in Billerbeck, are also rather late, especially that from *Derek Erez* which Billerbeck puts first, and prove little. It is, however, interesting to notice that b. Ta'an. 11a, says only "weep. with them that weep," like Ecclus. 7.34.

³⁰ Op. cit. 84; 103; 112, where Bultmann strongly insists upon a Semitic proverb as the pattern for Jesus' Saying. However, in an aside on p. 179, he allows for the Saying to have been added in Hellenistic surroundings, and it shows good judgment that E. Klostermann, *Matthaeus* 2nd ed. (1927) 195, has taken this up and calls Matth. 24.28 "a Greek secular proverb," although he gives no evidence for it, and we are not convinced that it was secular. — W. B. Stevenson, *Critical Notes on the Hebrew Text of the Poem of Job* (1951) 159.

this verse has not been compared with Matth. 24.28 par.³¹ The reason for this apparent indifference is that in the Hebrew Job 15.23 "he wandereth for bread saying, where is it? He knoweth that the day of darkness is ready at his hand," does not resemble Matth. 24.28 par. in the least. In the Greek, however, it reads differently:

κατατέτακται δὲ εἰς σῖτα γυψίν.
οἶδεν δὲ ἐν ἑαυτῷ ὅτι μενεῖ εἰς πτώμα,
ἡμέρα δὲ αὐτὸν σκοτινὴ στροβήσει.

(He is mown down as food for vultures;
and he knows within himself that he will remain a carcase, and the dark day will terrify him.)³²

Here indeed we have the birds and the carcase not in a description of natural history, as Job 39.30 pretends to be, but with reference to the fate of the tyrant, a subject rich in proverbial wisdom.

The difference between the Greek and the Masoretic texts seems due to different vocalization: the Greek translator read *ayyāh* (a large bird of prey, a hawk or vulture) instead of *ayyēh* (where). This, in connection with the subject of the discourse, the fate of the tyrant, seems to have caused the misreading *pīdō* (his carcase) instead of *b^eyādō* (at his hand).³³ It seems that the Greek, which may go back to a different Hebrew original,³⁴ owes its origin to the existence of a Greek proverb which contained the words "vulture" and "carcase." The fate of the tyrant, and in particular

³¹ It has already been mentioned, that neither Bultmann nor Billerbeck 1,955, have noted the parallel. It may be added that A. Schlatter, *Der Evangelist Matthäus* 2nd ed. (1933) 709, too, gives only a list of passages from Josephus as parallels, which are chosen so as to illustrate various grammatical points.

³² I prefer the future *μενεῖ* because of the corresponding *στροβήσει*. The "dark day" contains a reference to Amos 5.18; Zeph. 1.15, cf. also the Hebrew Apocalypse of Elijah 7.5, German translation by P. Riessler, *Altjued. Schrifttum* 238, quoting Is. 18.6.

³³ These two emendations, first suggested in England by G. H. B. Wright, are repeated here on the authority of J. F. Schleusner, *Novus Thesaurus* (1820/1) s.vv. γύψ and πτώμα. The first is virtually certain, and the second has at least the value of a brilliant conjecture. On the question whether they should be taken for the Hebrew original, and the Masoretic text for a later misunderstanding, cf. the following note.

³⁴ W. B. Stevenson, op. cit. 63 sq., and E. J. Kissane, *The Book of Job* (1939) 87; 91, regard the LXX text as the original. In this case Hellenistic influence would have to be assumed in the composition of the poem itself.

his miserable death in battle, formed the subject of rhetorical exercises in the boys' schools of the Hellenistic era since the days of Plato, and came to the fore in the translator's mind when meeting with an apparent "food for vultures" in connection with the mention of the tyrant in Job.

There are numerous allusions to a Hellenistic proverb such as has been presupposed here in Greek and Latin authors. They bear witness to the fact that it contained a reference to the vultures as well as the word *πτῶμα*, which is rare in Hellenistic Greek.³⁵ The nearest parallel to Matth. 24.28 par. is found in a little textbook on Greek theology ascribed to the Stoic Cornutus and originating from the first century A.D.:³⁶

21. The vulture is said to be Ares' sacred bird because the birds gather together *ὅπου ποτ' ἂν πτώματα πολλὰ Ἀρηϊφθορα ᾗ*.

The words quoted in Greek have the poetical flavor which often accompanies a proverb. This is especially true of the adjective *Ἀρηϊφθορος* which moreover seems to be a *hapax legomenon*,³⁷ and this leads to the assumption that a coined phrase, a proverb, was in the mind of the author. If this proverb was so popular that it even influenced the mind of the Hellenistic Jew who wrote the Greek version of Job, then it is easy to understand how Jesus could expect his audience to appreciate too the use of the proverb.

The number of witnesses to the proverb is indeed considerable,

³⁵ *Πτώμα* occurs in the meaning of "carcase" occasionally in Polybius, Plutarch and Herodian. — How close Greek and Jewish bird-lore could come, may be illustrated by the following instance: in 1. Enoch (aeth.) 96.2 we read,

"on the day of sorrow for the sinners your children will be lifted up and will rise like eagles,

and your nest will be higher than that of the vultures."

This saying is explained by the legend in Antigon. Mirab. 42 (48) "some say that no one has ever seen a young male or female vulture. Therefore it was alleged by Herodorus, the father by some woman of Bryson the Sophist, that they belong to another world beyond the clouds. They have their young ones on inaccessible rocks."

³⁶ Cornutus ed. Lang (1881) 41.

³⁷ Liddell and Scott give no other reference. This is also the only explicit witness that the vulture was the sacred bird of Ares. Nevertheless, although the vulture was also associated with Pallas, Eurip. Troad. 534, and with Hercules, Plutarch Quaest. Rom. 93, cf. Sir d'Arcy W. Thompson, A Glossary of Greek Birds 2nd ed. (1936) 85, Stoll in Roscher, Lexikon der Mythologie 1 (1890) 487, was right to accept the evidence. For, were not the vultures observed by Romulus and Remus, Livy 1.7.1 par., sent by their father Mars-Quirinus? O. Keller in Pauly-Wiss., R. E. 7 (1912) 934, seems to be wrong when saying that the vulture had no connection with religion outside Egypt.

and their critical analysis will suggest that Jesus may have quoted it verbatim. J. J. Wettstein has collected another five instances, three in Latin and two in Greek. The Latin ones are: Seneca Ep. 95.43 *vultur est, cadaver expectat*; ³⁸ Martial 6.62.4 *cuius vulturis hoc erit cadaver*; and Lucan 6.550/1

*Et quodcumque iacet nuda tellure cadaver
Ante feras volucres sedet.*³⁹

The Greek ones are Lucian Navig. 1 θᾶπτον τοὺς γύπας ἔωλος νεκρὸς ἐν φανερώ κείμενος . . . διαλάθοι; and Aelianus Hist. Anim. 2.46. The Latin quotations all contain the word *cadaver* which, being etymologically derived from *cadere*, is the equivalent of πτώμα — from πίπτειν. The Greek, however, with the exception of Cornutus and Matthew and Job, say νεκρός. Nevertheless, πτώμα must be preserved, since the change of expression is the result of that artificial Atticism which made Greek authors observe the rule laid down by Phrynichus ⁴⁰ that πτώμα “corpse” should be used only when it was followed by a genitive of respect.

None of the passages quoted refers to eagles, except Matth. 24.28 par., and we must now ask why this change was introduced. It is at least uncommon for eagles to eat carrion flesh, whereas this is the natural food for vultures. It is therefore widely held that Matth. 24.28 par. should read “vultures.” The simplest explanation for the change would be that “eagles” was just a mistake on the part of the Evangelist; but in view of the fact that the Greek translators of the Old Testament in most cases changed the vultures contained in the Hebrew text to eagles,⁴¹ this simple explanation seems to be rather improbable. It is more probable that the translators shared the view expressed by Antoninus

³⁸ Wettstein's quotation, Ep. 46, is incorrect.

³⁹ To these may be added: Prudentius Cathemer. 10.41 sq.:

*Quae pigra cadavera pridem
tumulis putrefacta iacebant,
volucres rapiuntur in aures
animas comitata priores,*

a verse voicing pagan sentiments, though written by a Christian poet. Cf. R. Holland, Arch. Relig. Wiss. 23 (1925) 211, on the vulture as a “soul-bird.”

⁴⁰ Phrynichus ed. Lobeck (1820) 375, cf. Rutherford, The New Phrynichus (1881) 472.

⁴¹ O. Keller in Pauly-Wiss., R. E. 7 (1912) 935, who says that this was done in *all* cases where vultures are mentioned in the Hebrew Old Testament.

Liberalis 21, saying that the vulture is "the most hateful bird to God and man," and therefore disliked the use of the word γύψ. It is thus to be assumed that the Aramaic original spoke of vultures. Whether Wettstein's view should be accepted that the eagle being the symbol of Roman domination even in Jewish apocalyptic writings,⁴² the change may betray a political bias on the part of the Evangelist, may perhaps be left open.

Luke's change from πτώμα to σώμα is an interesting translation variant, which has its analogy in the Greek versions of the Old Testament.⁴³ It is obvious that in this latter case questions of style were responsible for the change, and the same is true also with regard to Luke, whose Greek is better than that of Matthew. Perhaps style was not the only reason which caused Luke to change from Matthew, although πτώμα was obnoxious under a stylistic point of view. For Atticism reached its peak only in the second century A.D. when Luke's Gospel was already written. There is a possibility that Luke may have been aware of the religious implications contained in the proverb, such as outlined by Cornutus 21, and may have decided to tone them down. In any case, it appears that Matth. 24.28, in spite of the change from "vultures" to "eagles," is the most reliable tradition for the wording of the Hellenistic proverb "where the carcase is, there the vultures will be gathered together," the existence of which can be deduced otherwise only from numerous allusions in Greek and Latin authors.

c) The third instance of a Hellenistic proverb making its way into the originally Aramaic Sayings of Jesus also comes from Q, although it is not extant in Matthew. B. Weiss⁴⁴ has given sufficient reason to show that Luke 16.1-13 is taken from Q. That should hold good even for the semi-verse 8b "the children of this world are in their generation wiser than the children of light." The whole passage Luke 16.1-13, is shown to be of Semitic origin

⁴² Cf., e.g., the vision of the eagle in 2. Esdras 11.

⁴³ In Nu. 14. 52 sq., Aquila and Theodotion say πτώματα, whereas Symmachus whose command of Greek was superior to theirs wrote σώματα. For this reference I am obliged to Prof. T. W. Manson. — Suidas' remark that πτώμα was a body without a head, hardly deserves any attention.

⁴⁴ B. Weiss, Die Quellen des Lukas-Evangeliums (1907) 249 sq.

by its ample attestation by Talmudic parallels.⁴⁵ Where, as in the case of v. 8b, this Talmudic attestation fails, we find at least linguistic reasons which point the same way. "The children of this world" and "the children of light," *b'enē hā 'olām hazzeh* and *b'enē 'ōr*, are expressions which are alien to genuine Greek diction. Thus we are faced with a Saying Semitic in style, yet expressing a thought which does not find support from Rabbinic material.⁴⁶

It is understandable that under these circumstances Luke 16.8b has been ascribed by Bultmann⁴⁷ to the "sphere of religious syncretism." However, it is necessary to find some stronger support for this view than Bultmann himself has given it with the help that he has derived from New Testament and Jewish apocryphal analogies. E. Klostermann⁴⁸ has drawn attention to the fact that Luke — possibly in an attempt to write in that refined style which was then as always popular amongst the middle classes — has inserted a Greek proverb in Luke 16.3a "to beg I am ashamed." There is, however, a difference between the ideas that the parable itself was couched in such a style, and that the kerygma of the parable was stated by reference to a current popular proverb. The latter is not the necessary consequence of the former, for in the first case it would seem that the Evangelist was entitled in some measure to use his own discretion; in the second, however, a strict adherence to the traditional words of Jesus is demanded in order that the truth of the Divine Word be not impaired. Nevertheless, there is sufficient evidence to show that a Hellenistic proverb may have lain behind the Aramaic

⁴⁵ P. Billerbeck 2,220 sq.

⁴⁶ It ought to be remembered, however, that the Dead Sea Scrolls in the possession of the Museum for Jewish Antiquities in Jerusalem contain one which describes the struggle between the sons of light and the sons of darkness and in that way provides a certain amount of support to the Aramaic origin of Luke 16.8b.

⁴⁷ I cannot find any reason for accepting Bultmann's claim, *Gesch. d. Synopt. Trad.* 2nd ed. (1931) 190, that Luke 16.8b is secondary: it is the necessary corollary of the fable. I also feel uneasy with regard to his views stated on p. 190 n. 1. It has to be realized that even the Dead Sea Scrolls do not provide any immediate analogy to the "children of this world." Hellenistic analogies derived from Jewish apocalyptic writings on the present and the future Aeon have been collected by H. Sasse in *Theol. Woerterb.* 1 (1933) 206, 25 sq., who *ibid.* 207, 30 sq., refers to pagan parallels. — The "children of light," on the other hand, are mentioned in the New Testament in 1. Thess. 5.5; Eph. 5.8; John 12.36, as well as in the Dead Sea Scrolls and in 1. Enoch (aeth.) 108.11.

⁴⁸ E. Klostermann, *Lukas* 2nd ed. (1929) 216 n. 1.

Saying which closed the parable of the unjust steward in its earliest form.

The proverb which we have in mind is referred to in one of the letters of Pliny the Younger. In his correspondence he mentions several times one M. Aquilius Regulus, his political adversary, and a person whom he treats with a real contempt although he belonged to the Roman nobility and was an extremely rich man.⁴⁹ Pliny describes him as a typical go-getter and *nouveau riche*, and his antipathy was not even abated when Regulus had lost his only son. For he even ridiculed the funeral oration which the father, according to custom, had composed for his child: *credas non de puero scriptum sed a puero* (4.7.7). Nevertheless, on this occasion Pliny felt compelled to admit that Regulus' activities had been conducted with such an energy that they impressed even his adversary, and stated grudgingly,

ibid. 3 *hanc ille vim, seu quo alio nomine vocanda est intentio quidquid velis optinendi, si ad potiora vertisset, quantum boni efficere potuisset. Quamquam minor vis bonis quam malis inest, ac sicut ἀμαθία μὲν θράτος, λογισμὸς δὲ ὄκνον φέρει, ita recta ingenia debilitat verecundia, perversa confirmat audacia.*⁵⁰

It may be held that this reflection is a common one. If, on the one hand we are reminded of the fool who rushes in where angels fear to tread, we may also call to mind Hamlet's

Thus conscience does make cowards of us all,
And thus the native hue of resolution
Is sicklied o'er by the pale cast of thought.

All the same, it is important that Pliny did not express the idea only in his own terms, but employed a Greek quotation⁵¹ to which he attached his remarks. That shows that already at his

⁴⁹ On M. Aquilius Regulus cf. P. v. Rohden in Pauly-Wiss., R. E. 2 (1896) 331.

⁵⁰ "If he had used that forcefulness, or by what other name the firm resolve to obtain one's own ends regardlessly is to be called, for worthier objectives, how much good he might have done. Although the good possess less power than the wicked, and just as 'lack of learning creates zeal, deliberation laziness,' so also are just minds weakened through respect, whereas perverse ones are encouraged by their impudence."

⁵¹ The quotation goes back ultimately to Pericles' speech on the fallen Athenians, Thuc. 2.40.3, but its proverbial character has been recognized long since, cf. A. Otto, *Sprichwoerter der Roemer* (1890) 172.

time the experience to which we have referred was expressed in a proverbial saying. It had long been transformed from a shapeless common conviction into a coined phrase. In its original setting this phrase had had nothing to do with a story like that of the unjust steward. That story had its origin in Jewish surroundings, as has been shown by the analogies which Bultmann has collected,⁵² but it was well attuned to the moral philosophy of the Stoics⁵³ which was fashionable in the days of Pliny the Younger.

Pliny's own remarks and his quotation afford the means for a comparison between the New Testament point of view and that of its pagan contemporaries. Greek ethics opposed ἀμαθία and its effects to λογισμός, whereas Roman social convention derived similar conclusions from the contrast between *audacia* and *verecundia*. In other words, the noetic principles which the Greek Sophists and Stoics opposed were replaced by a social code. The Christian Saying, on the other hand, contrasted this αἰών of perdition with the world of light. Moreover, the two classical sayings both exhibit a spirit of resignation. Pliny is almost complacent about his conclusion that an honest man will not be able to compete in energy with a rogue. The Gospel, however, chastises this complacency: "and the Lord commended the unjust steward," gives Jesus' own conclusion that the children of light should not be less resourceful than the children of this world.

If, therefore, Pliny's quotation serves to underline the fact that the use of foreign material did not prevent Jesus from driving home his own point, it shows, on the other hand, that the traditional uncertainty about the meaning of "the Lord" is caused by the intrusion of such material. The ambiguity of "the Lord" in v. 8a has no analogy in other parables and clearly marks the suture. All the same, it seems unlikely that Luke 16.8b should be a later addition, for the parable and its kerygma are very closely knit. It seems a reasonably safe conclusion that v. 8b was not only extant in Proto-Luke but already in Q.

⁵² R. Bultmann, op. cit., 216 n. 1. P. Billerbeck 2, 217 sq., does not mention these analogies.

⁵³ The Stoic background of Pliny's saying may be illustrated by a comparison with Chrysippus' definition of ὄκνος as φόβος μελλούσης ἐνεργείας in v. Arnim, Stoic. Vet. Fragm. 3, 98, 39; 101, 30.

IV

Is it possible to draw any general conclusions from the limited material which we have discussed? In affirming this we have to remind the reader once more that the instances given are representative of a much larger material, and that in each case we have even gone beyond the evidence collected by Wettstein.⁵⁴ The adoption of Greek proverbs was a fairly wide-spread practice among the Rabbis, and a recent book⁵⁵ has drawn just attention to the fact that they were not only quoted in Greek but even translated into Aramaic. The instances discussed, therefore, only illustrate the fact that this wide-spread practice was already popular at the time of Jesus.

This being so, the choice of instances had to proceed with some care. The first example from Ecclesiasticus is meant to show how early this method of adopting Greek proverbs was taken up, and also upon what extraordinary proverbs it might seize. The second example from 6. Ezra not only shows that the practice continued right down to the time of Jesus, it also shows the dilemma between eastern and western influences in which Palestinian Jewry was placed, the world-wide impact of Hellenic-Oriental syncretism. The examples taken from the New Testament show that even in that early collection of Jesus' Sayings which we call Q, Greek influences are clearly discernible, showing the marks of having been re-translated from the Aramaic. Matth. 11.17 = Luke 7.32, was taken from a secular surrounding; Matth. 24.28 par. may have a pagan religious background and also shows

⁵⁴ An apt illustration of Rom. 12.15, discussed before, may be found in Horace Epist. 1.18.89,

oderunt hilarem tristes, tristemque iocosi.

Other striking analogies are frequent: Rom. 7.19 "for the good that I would I do not; but the evil which I would not that I do," responds to Ovid Metamorph. 7.19,

. *aliudque cupido*

Mens aliud suadet. Video meliora proboque,

Deteriora sequor.

Also 1. John 4.18 "there is no fear in love, but perfect love casteth out fear," has its analogy in Seneca Medea 416,

amor timere neminem verus potest.

All these quotations which may be easily multiplied have a proverbial character.

⁵⁵ S. Liebermann, *Greek in Jewish Palestine* (1942) 144 sq.

traces of an intentional alteration — eagles for vultures — which may perhaps have been partly inspired by political considerations; lastly, Luke 16.8b, shows how these foreign importations were used to further and not to obscure the Christian kerygma.

All these points may appear as obvious, as is also the fact that the missionary effort of the early Church was directed towards the conversion of Hellenism; however, we are faced today with a growing tendency to ignore them and, opposing Jewish and Greek methods of thought, solemnly to warn us of Greek philosophy as being a hindrance rather than a help to the understanding of the Gospel. Thus it may not be superfluous to point out the signs that not only the Evangelists but even Jesus himself was not opposed to the use of Greek thought. It would not be wise to follow the Jewish Synagogue into the Ghetto, and it is unhistoric to overlook the fact that Christianity owes a considerable debt to religious syncretism. Admittedly, Old Testament parallels to the Gospels are of paramount importance; but when reserve against and perhaps even contempt for the methods of religious history and comparative religion become the fashion of the day, it is necessary to show that neither the tenets of pre-exilic Israel nor the convictions of the Rabbis will altogether account for the riches of the New Testament, and that its exegesis has to take account also of contemporary views and convictions. Those, however, were under the spell of Hellenistic thought, mediating between East and West with a vigor which, alas, it has not altogether preserved.

MICHAEL VIII PALAEOLOGUS AND THE UNION OF LYONS (1274)

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THE Union of Lyons between the Greek and Latin churches was largely the result of the political aims of the Byzantine Emperor Michael VIII Palaeologus.¹ It was he who initiated the negotiations and who almost single-handedly attempted to force the union upon his Empire. He was convinced, as both Greek and Western historians repeatedly observe, that union was the one effective means to avert the menace of an expedition against Constantinople by the powerful coalition of Charles of Anjou, then King of Sicily.² Recently recovered from the Latins by Palaeologus, Constantinople was still relatively weak,³ and it was mainly the Emperor's flexible diplomacy that had hitherto been able to maintain it against the Latins.⁴ To Palaeologus' mind only the

¹ This article (the substance of a lecture delivered before a Harvard church history class at the invitation of Dr. George Williams) focuses on the motivations of Palaeologus' unionist policy rather than on negotiations with the papacy or the Council of Lyons itself about which a number of studies exist. This is part of a broader treatment of the Union of Lyons included in a monograph under preparation regarding Palaeologus' relations with the Latins.

² See the Greek historians (both of the Bonn edition) George Pachymeres, *De Michele Palaeologo*, I, 370, ll. 2-4: "It was clear that the Emperor sought the union only from fear of Charles; otherwise it would never have entered his mind." Also 367, ll. 10-11. Similarly Nicephorus Gregoras, *Historia Byzantina*, I, 123, ll. 3-8 and 125, ll. 2-6: "Therefore, beset by so many difficulties which drove him to desperation, the Emperor now sends an embassy to the pope [promising] to bring about the reconciliation and union of the churches of old and new Rome, if only the pope would avert the expedition of Charles." Cf. the Western chroniclers, the *Primat*, in Bouquet, *Recueil des historiens des Gaules et de la France*, XXIII (Paris, 1876) 91: "aucune furent qui crurent mieux que paour les eust contrainz de venir a celi concille." Also *Cronica di Giovanni Villani*, ed. Moutier-Dragomanni, I (Florence, 1844) 374: "Per lo quale riconciliamento de' Greci, il detto papa confermò il detto Paglialoco imperadore dello 'mperio di Costantinopoli." (Papal confirmation of Palaeologus as legitimate Catholic Emperor of Constantinople would, of course, have blocked the ambitions of Charles.) See, finally, explicit mention of Michael's fear of the Latins in *Gestes des Chiprois*, published in *Recueils des historiens des croisades, Documents Arméniens*, II (Paris, 1906) 789.

³ Pach., 358, l. 17 and Gregoras, 123, ll. 18-20.

⁴ For Michael's previous diplomacy see C. Chapman, *Michel Paléologue Restaurateur de l'Empire Byzantin* (Paris, 1926) chs. 6-11.

offer of union could induce the Holy See to restrain Charles from his plan of conquest.⁵

This sentiment of political expediency the Emperor did not attempt to conceal from his people and particularly from his higher clergy. Perhaps the clearest pronouncement of his views he gave in a speech to an ecclesiastical synod convoked in the imperial palace shortly before the Council of Lyons. At that time, as the Greek historian Pachymeres informs us, he stressed to his prelates that his efforts to effect union were due "only to his desire to spare the Greeks the terrible wars and effusion of blood that were threatening the Empire."⁶ He declared, furthermore, that union required concessions on only three points: (1) recognition of Roman primacy (2) the right of appeal to Rome, and (3) commemoration of the pope in the public prayers.⁷ None of these, he insisted, had any real importance. "For when," he exclaimed, "would the pope appear in Constantinople to take precedence over the Greek bishops, and when would anyone traverse so vast a sea to carry an appeal to Rome."⁸ What is there contrary to the purity of the faith in patriarchal commemoration of the pope in the liturgical prayers?"⁹ He went on to show that *oikonomia* (considerations of self-interest is here perhaps the best translation for a difficult word) had honorably been made use of by Greeks in the past for securing their aims. "Far from being blamed for skillfully averting the danger threatening us . . . we shall instead be praised by all wise and prudent men. Only one thing impels me to seek union, and that is the absolute necessity of averting the peril that threatens us. . . . Except for that I would never have begun this affair."¹⁰

⁵ Pach., 384, ll. 10-13. Charles was the vassal of the papacy for the Kingdom of Sicily.

⁶ Pach., 386, ll. 16-18. Cf. Gregoras' version of the same speech, 126, ll. 23ff.

⁷ Pach., 386, ll. 20ff. Cf. Gregoras, 125, ll. 11-16.

⁸ See the letter of Clement IV, dated July 21, 1266, in *Les Registres de Clément IV*, ed. Jordan, I (Paris, 1893) no. 346, 93, complaining to the Archdeacon of Durazzo that no one would make the crossing to Italy "propter inconstantiam maris et viarum discrimina."

⁹ Pach., 387, ll. 7-8. According to V. Laurent, "Le Serment anti-Latin du Patriarche Joseph I^{er}," *Échos d'Orient*, XXVII (1927) 405, of the three points the greatest concession was mention of the pope in the public prayers, since it denoted to the people communion between Latin and Greek churches. Cf. Pach., 390, ll. 3-4.

¹⁰ Pach., 387, ll. 8ff. Cf. the same sentiment in Gregoras, 127, ll. 9-12: "My

Though Palaeologus' aim of saving the Empire through union is clear, the tactics he employed seem at first glance inconsistent. Actually he pursued two conscious lines of action: one in his relations with the papacy and another with his prelates. On the one hand, he emphasized the importance of religious union, attempting faithfully to carry out every demand of the papal legates.¹¹ (In this he was seeking particularly to silence his Angevin opponents in Italy who accused him of insincerity.)¹² On the other, he sought to minimize to his clergy the significance of union, mollifying their attitude as much as possible by insisting that union would entail no change in the symbol but only minor concessions of an insignificant nature. While to the papacy, therefore, he stressed spiritual considerations, to his clergy and people he emphasized political benefits.¹³

Michael's dual policy toward papacy and Greek clergy was in large part made possible by the sincere and tolerant attitude of Pope Gregory X¹⁴ as well as by the distance and poor communications between Constantinople and Rome. The relatively infrequent exchange of embassies between the Holy See and the imperial court (generally at least three to four months were required for the journey)¹⁵ plus the extreme deference and glowing

conduct is the part of wise administration, since necessity demands that a slight damage be suffered for the sake of greater advantage." The problem of *oikonomia* (it existed in Byzantium almost from its foundation) involved two opposing points of view: the rigorist, which maintained that the church should be practically independent of the state, and the liberal, which insisted that when demanded by political necessity the church should subordinate itself to the needs of the state. On these theories see F. Dvornik, *The Photian Schism History and Legend* (Cambridge, 1948) 8, 24, etc.

¹¹ Marino Sanudo Torsello, *Istoria del Regno di Romania*, in Hopf, *Chroniques Gréco-Romanes* (Berlin, 1873) 135: "Tentò con ogni modo possibile aver la grazia e favor della Ecclesia Romana."

¹² See the letter of Pope Gregory X to Palaeologus in *Les Registres de Grégoire X*, ed. Guiraud (Paris, 1892) no. 315, 123, dated November 21, 1273, referring to the pressure of Angevin supporters: "qui . . . notarent quasi non in sinceritate debita hoc tam salubre negotium proseguaris." Pach., 410, ll. 2-4, relates that Charles became so enraged at papal refusal to permit his expedition that he bit his sceptre. Cf. a similar passage in the *Historia Sicula* of Bartolomeo of Neocastro in Muratori, *RISS*, XIII, pt. 3 (Bologna, 1921) 22: "iracundia fervidus, dentibus frendet, rodens robur."

¹³ Cf. W. Norden, *Das Papsttum und Byzanz* (Berlin, 1903) 504.

¹⁴ Note even Pachymeres' praise of Gregory's motives, 369, ll. 9-10 and 370, ll. 1-6. Also the praise of Palaeologus himself, *ibid.*, 458, l. 18.

¹⁵ Cf. note 8.

terms in which Palaeologus wrote to the Curia of his zeal for union,¹⁶ seem, at least for a time, to have limited papal awareness of Palaeologus' real motives.¹⁷

It was only in 1279 during the pontificate of the more realistic Pope Nicholas III, eager to reassert the oecumenical influence of the papacy now nominally restored by the Union of Lyons, that Michael's policy threatened to break down.¹⁸ At that time, as we learn from Pachymeres, it was reported to the pope by Latin friars in Pera (situated across the Golden Horn from Constantinople) that the union was "nothing but a farce" and that the attitude of the Emperor and many of his clergy was not really sincere.¹⁹ Thereupon the pope dispatched envoys to Michael, bearing what was in effect an ultimatum for the insertion of the *filioque* into the Greek creed.²⁰ In the meantime Michael, hearing of the embassy's arrival, convoked an ecclesiastical synod and beseeched his clergy to receive the envoys cordially, promising to his prelates at the same time that he would not permit "an iota of the creed" to be changed. The duality of policy which this incident reveals is even further demonstrated by the subsequent imperial order that the signatures of many non-existent prelates

¹⁶ Pach., 359, l. 8, emphasizes Palaeologus' flattery of the papacy. Cf. also the terms of filial devotion and profound piety with which the Emperor addressed Gregory in a letter published in Guiraud, *Reg. Grég.*, no. 313, 119. See likewise M. Viller, "L'Union des Églises entre Grecs et Latins," *Revue d'histoire Ecclésiastique* (1921) 263, who believes that Palaeologus was a complete hypocrite regarding the union.

¹⁷ It should be noted that the papal successors of Gregory were not free of suspicion regarding imperial motives, since twice within a few years after Lyons, they required Michael to reiterate his oath of fidelity to the Roman church. See V. Grumel, "Les ambassades pontificales à Byzance après le II^e Concile de Lyon," *Échos d'Orient*, XXIII (1924) 442, note 2.

¹⁸ Actually Popes Innocent V and John XXI, in particular, had already suspected Michael's sincerity. See M. H. Laurent, *Le Bienheureux Innocent V* (Città del Vaticano, 1947) 283. Finally in 1281 Martin IV, completely under Angevin influence, excommunicated Palaeologus and the union was broken. According to Pach., 505, l. 19, the Emperor and his supporters were excommunicated as "tricksters."

¹⁹ Pach., 458, ll. 1-3.

²⁰ *Les Registres de Nicolas III*, ed. Gay (Paris, 1898) no. 376, 128: "cum adjec-tione illa filioque . . . decantari." This demand had already been made, less peremptorily, however, by Pope John XXI just before his death. See Grumel "Les ambassades," 437. For an analysis of the Latin profession of faith which the papacy insisted Palaeologus adopt, see J. Karmiris, 'Hē apodidomenē eis ton Michaēl VIII Palaiologon homologia pisteōs tou 1274," *Archeion Ekklesiastikou kai Kanonikou Dikaïou* (Athens, 1947) 127ff.

be forged to a document containing the Roman confession of faith with the *filioque*, strict adherence to which had been demanded by Pope Nicholas.²¹

Before the achievement of union at Lyons, Michael pursued a mild policy toward his clergy,²² striving to accustom them gradually to the idea of union. To impress upon them that nothing was to be feared from union and that the Greek symbol and rites would be preserved, he encouraged the common association of Greek and Latin clerics in the divine services. Particularly welcome in the capital were Latin friars,²³ including Greeks of southern Italy who were of the Latin faith.²⁴ In the words of Pachymeres, "[the Emperor] tried to establish and to preinsure the union, which was still in a state of negotiation, by receiving and sending to the bishops and patriarch at Hagia Sophia, a great number of friars, with a view to their participating with the Greek clergy in the psalms, in the entrances to the sanctuaries and the stations, in common partaking of the blessed bread called *antidōron*, and indeed in all other Greek usages except the Holy Communion (which they did not request)."²⁵

Among the Greco-Latin clergy who came to Constantinople was the Greek and Latin speaking Bishop of Croton (Calabria), from whom Palaeologus himself learned the rudiments of the Latin faith. He was permitted by the Greek patriarch to dress in the style of the Greek clergy and it was even arranged to give him a church.²⁶ More important was the Constantinople-born Fran-

²¹ Pach., 461, ll. 10-13. Cf. Grumel, "Les ambassades," 437-438.

²² In contrast to his severity after Lyons. See the recent work of H. Evert-Kapessova, "La Société Byzantine et l'Union de Lyon," *Byzantinoslavica*, X (Prague, 1949) 28ff.

²³ Pach., 360, ll. 5-7 and 17-18. Also 368, l. 12.

²⁴ The influence of the Lyons union on the south Italian Greeks (united to Rome at the Council of Bari in 1098) is mentioned by Sanudo, *Istoria*, 143. Referring presumably to the early 14th century, his date of writing, he records: "Sonovi anco molti Greci in Calabria ed in Terra d'Otranto che ubbidiscono alla Santa Chiesa Romana, mà forse non così devotamente, come farianno, se l'imperatore Sior Michele Paleologo e il Patriarca . . . fossero . . . ubbidienti."

²⁵ Pach., 360, l. 19 and 361, ll. 1-4. Doubtless referred to here by Pach. is the difference between the Greek and Latin practices of communion in one and two kinds. Partaking of the Greek communion would perhaps have indicated premature acceptance of union on the part of the Latin friars.

²⁶ On the Bishop see *Les Registres d'Urbain IV*, ed. Guiraud, II (Paris, 1901) no. 748, 357 and no. 848, 405. Also Pach., 360, ll. 8-16. For reasons not made en-

ciscan, John Parastron, who had been sent to the Emperor as a papal legate.²⁷ He was a zealous advocate of union and it was owing mainly to his efforts together with those of the Emperor himself, Pope Gregory X,²⁸ and the Greek Patriarch John Beccus,²⁹ that the union was accomplished at Lyons. Favorable to the Greek rites, Parastron minimized the controversy over the double procession of the Holy Spirit. He was in the habit of entering into the sanctuary of Constantinopolitan churches, and, standing at the side of the Greek celebrants, he would read the offices along with them.³⁰ A person of modest demeanor and conciliatory attitude, he was popular among the Greek clergy, who, at his death shortly after the Council of Lyons, sought his canonization from the pope.³¹ His tolerance and understanding of the Greek mentality played no small part in persuading some of the Greek clergy that communion with Rome was not reprehensible and might, in fact, be beneficial.³²

Despite the appeals and frankness of the Emperor, only the high clergy as a whole were convinced that the political situation demanded union with Rome.³³ The remainder of the prelates, most of the lower clergy, the monks, and the great majority of

tirely clear, but which Pach. attributes to ill-feeling, the Bishop was later exiled to Heracleia in Pontus.

²⁷ See letter in Guiraud, *Reg. Grég.*, no. 194, 68B. According to the same letter, Palaeologus had previously dispatched Parastron to the pope as his envoy.

²⁸ For Palaeologus' praise of Gregory, see note 14, *supra*. Note also the high opinion of the Greek envoy to the Holy See, George Metochites, as printed in M. Laurent, *Innocent V*, 440.

²⁹ On Beccus, who was at first an ardent opponent of union, see Pach., Bk. V, chs. 12-15; and Gregoras, 123, ll. 5-8. Cf. also R. Souarn, "Tentatives à union avec Rome, Un patriarche catholique au XIII^e siècle," *Échos d'Orient*, III (1900) 229-237 and A. Zotos, *Ioannēs ho Bekkos Patriarchēs Cōnstantinoupoleōs Neas Rhomēs ho Latinophrōn* (Munich, 1920), which I was able to consult through the kindness of Professor F. Dölger.

³⁰ On Parastron in Constantinople see Pach., 371-372.

³¹ See Nicholas Glassberger, *Analecta Francescana*, II (Quaracchi, 1887) 88: "pro eius canonizatione Imperator Graecorum et Praelati Graeciae instanter apud dominum Papam laborabant." Cf. P. Golubovitch, "Cenni storici su Fra Giovanni Parastron," *Bessarione*, X (1906) 295ff. Parastron had acted as interpreter between the Greeks and Latins at the Council of Lyons.

³² Pach., 372, ll. 7ff. As Viller, *op. cit.*, 282, points out, the chief cause for the failure of union was lack of understanding on both sides. Cf. A. Fliche, "Le problème oriental au second concile oecuménique de Lyon," *Orientalia Christiana periodica* (Miscellanea Jerphanion), XIII (1947) 483, who emphasizes that at Lyons the papacy and Emperor alone reached an understanding.

³³ Pach., 386, ll. 12-13; 387, ll. 17-18.

the people remained firm in their opposition, believing that union would bring not only imposition of the hated *filioque* but adoption of Latin usages as well.³⁴

There seems little doubt, at least to judge from the accounts of the historians, that had Charles of Anjou been permitted by the papacy to launch a full-scale expedition, Constantinople would almost certainly have fallen.³⁵ How then to explain the intransigence of the anti-unionist Greek clergy, people, and even of many state officials³⁶ — an attitude apparently oblivious of political realities?

It is possible, of course, that the peril seemed more threatening to Palaeologus than to some of his subjects, who may not have been so acutely aware of the political situation. Moreover, the adherents of the young Emperor, John IV Lascaris, from whom Michael had usurped the throne, were understandably less concerned than Michael over the possible loss of the latter's throne.³⁷ Aside from these considerations, applicable only to a small minority of Greeks, the widespread opposition to union seems to have been motivated by other reasons.

Like other peoples in history, the medieval Greeks had a mystical attitude toward their Empire. They believed that its territories were held together by the person of their Emperor, but that the efficacy of his office depended on his adherence to the purity of the Orthodox faith. He was the living symbol of the continuity and fortune (*tyche*) of the Empire, and to the Greek mentality an attack on the faith was therefore an attack on the fortune of the Empire itself.³⁸

³⁴ Pach., 379, l. 17 and 389, l. 13, who says that many families were split over union as was even the imperial family. On this latter point see also *ibid.*, 379, ll. 16–17 and 459, ll. 12ff.

³⁵ Pach., 358, ll. 16–17 and Gregoras, 123, ll. 3–8. Cf. Villani, *op. cit.*, I, 389: "Paglialoco non avea podere nè in mare nè in terra di risistere alla potenza e apparecchiamento del re Carlo." The coalition of Charles had practically encircled Constantinople.

³⁶ Pach., 390, ll. 8–9; 391; 399ff.; 484; and 505, ll. 14–15. See also note 34, *supra*.

³⁷ See Pach., 393, ll. 12–16 and 485, ll. 19–20 for mention of pro-Lascarid, anti-Palaeologan sentiment. Cf. J. Troitskii, Arsenius and the Arsenites (in Russian) (St. Petersburg, 1873) 99–101.

³⁸ L. Previale, "Un Panegyrico inedito per Michele VIII Paleologo," *Byzantinische Zeitschrift*, XXXXII (1942) 10, note 4. Also H. Gelzer, *Byzantinische Kulturgeschichte* (Tübingen, 1909) 29; and O. Treitinger, *Die öströmische Kaiser- und Reichsidee nach ihrer Gestaltung im höfischen Zeremoniell* (Jena, 1938) 159.

Since the foundation of the capital, the Byzantines had believed that the city was under the special protection of the Virgin. Indeed her protection had often saved the city in the past.³⁹ Constantinople had fallen to the Latins in 1204, but that event, as the Greek historians repeatedly affirm, had been owing to the loss of God's grace as a result of the sins of the Greek people. By the same token, the reconquest of the capital in 1261 by Michael Palaeologus was due to the recovery of God's grace.⁴⁰ The Greek people must have reasoned, therefore, that the Empire would certainly crumble if the purity of the faith were altered through union and adoption of the Latin confession. To the great mass of the people, *oikonomia* had no application where the safety of Constantinople, "the city guarded by God," was concerned. Divine power would save the city even from the Angevin peril. This, it would seem, is the meaning of a prelate's response to Michael at a synod in which the Emperor had stressed political considerations. In the words of the ecclesiastic, "If danger threatens, the bishops' duty is only to pray; it is the duty of the Emperor to find a way to repel the enemy."⁴¹

Probably a more conscious explanation for the resistance to union was the popular sentiment that it was the prelude to Latinization of the Greek church and people.⁴² To most of the Greeks union meant not only ecclesiastical apostasy but a betrayal of the Greek sense of national pride as well. Though the existence at this time of a Greek ethnic consciousness may be difficult to prove, it cannot be denied that the Greeks regarded themselves, as a

³⁹ As, for example, the Virgin's miraculous intervention in 626 during the reign of Heraclius. For further information on the Virgin-protector see A. Grabar, "Un Graffiti Slave sur la façade d'une église de Bukovine," *Revue des Études Slaves*, XXIII (1947) 89ff. and R. L. Wolff, "Footnote to an Incident of the Latin Occupation of Constantinople: The Church and the Icon of the Hodegetria," *Traditio*, VI (1948) 319ff. (both kindly suggest to me by their authors). See also A. Frolow, "La dédicace de Constantinople dans la tradition byzantine," *Revue de l'histoire de Religions* (1944) 61ff.

⁴⁰ Pach., 153, ll. 11-14. Acropolites (*Georgii Acropolitae Opera*, ed. Heisenberg, I [Leipzig, 1903]) 183, l. 3.

⁴¹ Pach., 389, ll. 14-17. Cf. the anti-Latin polemic of the contemporary George Moschabar in A. Demetracopoulos, *Graecia Orthodoxa* (Leipzig, 1872) 62: "The true Orthodox are by Him [Christ] preserved from every visible and invisible attack of the enemy."

⁴² See the remarkable speech of Palaeologus (in Gregoras, 127, ll. 1-7) warning his subjects that conquest of Constantinople by Charles would completely Latinize them.

people, very distinct from the Latins. In general, they considered the Latins heretical,⁴³ supercilious,⁴⁴ and intellectually inferior.⁴⁵ The crusades and fifty-seven years of subjugation and enforced union with the Latin church had sharpened this antipathy.⁴⁶ It is no wonder that a Greek supporter of the union was looked upon with horror as a traitor. Striking corroboration for this feeling is the taunt flung at the imperial envoy to the papacy, the Archdeacon George Metochites, who had espoused the union: *φρᾶγγος καθέστηκας* ("You have become a Frank.")⁴⁷ Most of the people apparently preferred to combat for their religion than to consent to the union and to abandon the faith of their fathers.⁴⁸ In this vein wrote the unionist Patriarch Beccus: "Men, women, the old and the young . . . consider the peace a war and the union a separation."⁴⁹

These anti-Latin sentiments were propagated among the people by monks, always the most fervent supporters of Orthodoxy — the nucleus of whom were the Arsenites,⁵⁰ adherents of the deposed Patriarch Arsenius, who had opposed Michael's usurpation of the throne.⁵¹ To the people, who only too easily recalled the

⁴³ Demetracopoulos, *op. cit.*, 47-48 and Pach., 376, ll. 9-10.

⁴⁴ On this see the orations of Holobolus, Michael's court orator (Manuelis Holoboli *Orationes*, ed. Treu [Potsdam 1906] 39).

⁴⁵ See A. Dmitrievskij, *Opisanie liturgiĭeskikh rukopisej*, I, (Kiev, 1895) 771, for Palaeologus' description of the Latins as a "half-barbarian people."

⁴⁶ Note Holobolus' exhortation of the Latin oppressors, *op. cit.*, 44 and 70. Also Dmitrievskij, *op. cit.*, 790, where Michael writes of "the haughty Latins who tyrannized over Constantinople."

⁴⁷ From the report of Metochites printed in M. Laurent, *Innocent V*, 424, note 23. To the Greeks of the period the term "Frank" was synonymous with "Latin." Cf. the disparaging modern Greek term *ἐφράγκεψες* ("You have become a Frank," i.e., "a Catholic.") See also Pach., 401, ll. 15-16: "They avoided their own brothers [the unionists] as execrable."

⁴⁸ Pach., 389, ll. 12-14.

⁴⁹ P.G., vol. 141, col. 952D.

⁵⁰ On the Arsenites see Pach., 277 and 382. The most recent study regarding them is that of V. Laurent, "Les Grandes Crises Religieuses à Byzance. La Fin du Schisme Arsénite," *Académie Roumaine Bulletin de la Section Historique*, XXVI 2 (Bucharest, 1945) 1ff., a copy of which was kindly given to me by the author. See further J. Sykoutres, "Peri to schisma tōn Arseniatōn," *Hellēnika*, II (Athens, 1929) 257ff. and later issues.

⁵¹ Arsenius was deposed by a Greek synod in 1267 when Michael threatened to appeal to Rome for absolution from patriarchal excommunication imposed for his blinding of John IV Lascaris.

days of the Latin occupation, the words of the monks fell on fertile soil.⁵²

Palaeologus has been contemptuously termed *Latinophron* ("pro-Latin") by Greek writers.⁵³ His relations with the Latins were, to be sure, closer than were those of his predecessors, yet in each instance, what may have appeared to anti-Latin Greek contemporaries and orthodox scholars of more recent times as softness toward the hated enemy, now appears rather to be part of a shrewdly calculated, "pro-Greek" policy,⁵⁴ which cannot properly, or at least without qualification, be called *Latinophron*. Even in the face of the severe punishments Palaeologus inflicted on anti-unionist Greek prelates and monks in order to enforce union, it would seem unwarranted to say that he was more partial to the Latin faith than to the Greek.⁵⁵ Questions of dogma were of less concern to him than was survival of the Empire.

It is improbable that Palaeologus underestimated the popular Greek antipathy to the Latins. An Emperor who had reached the imperial throne largely through demagoguery and artful

⁵² On this see Evert-Kapessova, *op. cit.*, 29-31 and 33-34.

⁵³ For example, by the Greek historian of the Council of Florence (1438-1439), S. Syropoulos, *Historia vera unionis non verae*. . . *Concilii Florentini* (Hague, 1660) 238. Regarding Patriarch John Beccus, who was also called *Latinophron* by his contemporaries, see the interesting article of G. Hofmann, "Patriarch Johann Bekkos und die lateinisch Kultur," *Orientalia Christiana Periodica*, XI (1945) 141ff. Hofmann shows that for one stigmatized as *Latinophron*, Beccus had surprisingly little knowledge of Latin culture and Latin theological writings — none, for example, of the works of his great contemporary Thomas Aquinas. According to Hofmann "Die Bildung . . . des Bekkos war griechisch durch und durch." (*op. cit.*, 140 and 161).

⁵⁴ This is a major conclusion in this author's work on Palaeologus' relations with the Latins.

⁵⁵ On Michael's treatment of the monks see Pach., 488-491 and Gregoras, 127ff. For an argument that Michael was "far from practicing a general policy of hostility to the monasteries," see G. Rouillard, "La Politique de Michel VIII Paléologue à l'égard des monastères," *Études Byzantines*, I (1943) 83ff. As to the false legends regarding Michael's personal chastisement of monks on Mount Athos, see S. Binon, *Les origines Légendaires et L'Histoire de Xeropotamou et de Saint-Paul, de L'Athos* (Louvain, 1942) 110ff. In addition to the foregoing regarding Michael's policy toward the Greek church, there should also be mentioned his extreme solicitude for rebuilding churches and monasteries immediately after the reconquest of Constantinople (Pach., 172, ll. 17-18; 164, ll. 5-12; and George of Cyprus, *Laudatio Michaelis Paleologi*, P.G., vol. 142, col. 377) as well as his numerous rescripts in favor of Greek monasteries, for two of which he himself wrote *regulae*. On this see Miklosich and Müller, *Acta et Diplomata*, IV (Vienna, 1871) 330-341; J. Troitskii, *Imp. Michaelis Paleologi de Vita Sua Opusculum* (St. Petersburg, 1885); and Dmitrievskij, *op. cit.*, 769.

manipulation of the Greek army, nobility, people, and particularly the clergy,⁵⁶ would hardly have lost touch with public feeling sufficiently to misconstrue the reaction to so important an issue. Negotiations almost culminating in union had in fact been conducted some years before by the Emperor John III Vatatzes, and Michael had had ample opportunity to observe popular sentiment.⁵⁷ It is much more probable that the policy of Michael Palaeologus was a calculated risk, whose difficulties, both with respect to the papacy and to his own clergy and people, he thought he could surmount through skillful diplomacy. From this standpoint, therefore, his unionist program may be considered simply an extension on the religious plane of his earlier diplomatic policy toward the Latins for the preservation of his throne and Empire.

⁵⁶ Pach., 74, ll. 10-13; Gregoras, 68, ll. 12-14.

⁵⁷ See Pach., 366, ll. 13ff. Also Gregoras, 129, ll. 13-19, who relates that during Vatatzes' reign, the famous scholar, N. Blemmydes, was forced to write his pro-unionist works in secret because of popular feeling. On the negotiations between Vatatzes and the papacy with a view to restoring to the Greeks Constantinople then in Latin possession, see F. Schillman, "Zur Byzantinischen Politik Alexanders IV," *Römische Quartalschrift*, XXII (1908) Heft 4, 108ff.; and R. L. Wolff, "The Latin Empire of Constantinople" (thesis, Harvard University, 1947) 643-645. To Professor Wolff I am indebted for criticism of the present article.

MARRIAGE CONTRACTS IN ANCIENT EGYPT IN THE LIGHT OF JEWISH SOURCES

In an article published in this Review¹ some years ago, the present writer called attention to a remarkable similarity between a certain clause occurring in some Demotic marriage contracts of the late Ptolemaic period and Mishnah, Ketubot, 9,5. The clause in question reads: "I shall not be able to require an oath from thee in the house of judgment on account of the right of thy woman's property above (named), saying 'thou didst not bring them to my house in thy hand'" (Adler Dem. 14 and Ryl. 16). The pertinent part of Mishnah, Ketubot, 9,5, reads: "If he declared to her in writing, 'I will require of thee neither vow nor oath,' he may not exact of her an oath. . ." (Danby, The Mishnah, p. 258).

Upon further study and research, the writer has found that the above similarity between the Demotic marriage contracts and the Mishnah does not represent an isolated instance of parallelism between marriage contracts from Egypt, Demotic and Greek, and Jewish sources, Biblical and post-Biblical, bearing on the subject of marriage, but that from the late 4th century B.C. onward there is a whole series of such parallelisms.

We shall begin with the Demotic marriage contracts. A document of the reign of Alexander IV reads, in part, as follows:

"If I abandon thee as wife, and hate thee, and love (?) another woman more (?) than thee, I will give (thee) 10 (pieces of) silver, making 50 staters, making 10 (pieces of) silver again. My eldest son is thine eldest son, the owner of all of everything that belongeth to me and of those things that I shall gain, of house, land, revenue (?), slave, female slave, silver, copper, clothing, ox, ass, small cattle, property in any chamber (?)." ²

An analysis of the contents of this portion of the document and of the technical terms used therein will reveal that it follows closely Deut. 21, 15-17:

"15. If a man have two wives, the one beloved, and the other hated, and they have borne him children, both the beloved and the hated; and if the first-born son be hers that was hated; 16. then it shall be, in the day that he causeth his sons to inherit that which he hath, that he may not make the son of the beloved the first-born before the son of the hated, who is the first-born; 17. but he shall

¹ V. XXXVII, p. 52, n. 5.

² F. Ll. Griffith, Catalogue of the Demotic Papyri in the John Rylands Library, v. III, pp. 114-115. The sum of 50 staters is strikingly similar to the 50 shekel of the Biblical *mohar*, which in post-Biblical times developed into the *ketubah*. See Liddell-Scott-Jones, Greek-English Lexicon s.v. *σάτῃρ*, citing Matt. 17, 27, where the shekel is referred to as a stater.

acknowledge the first-born, the son of the hated, by giving him a double portion of all that he hath; for he is the first-fruits of his strength; the right of the first-born is his."³

In the first place, the word for *hate* is used in the Bible and in the Aramaic papyri in the technical sense of *divorce*. To quote from Cowley⁴: "סנש . . . is a legal term for 'divorce.' Staerk⁵ quotes an Egyptian document of the fourth century B.C. in which 'hate' is similarly used. In Hebrew cf. Deut. 21, 15, etc." The word *hated* in Deut. 21, 15, as Cowley, quite correctly, seems to suggest, means *divorced*. The phrase "hate thee and love another woman" in the Demotic document thus corresponds to the phrase "the one beloved and the other hated" in Deut. 21, 15.

Secondly, the term *abandon* is characteristic of the technical language of divorce in Akkadian (*ezêbu*), Hebrew (*ʾazob*) and Aramaic (*šē baḳ*). The Akkadian term occurs, for example, in the Code of Hammurabi, sec. 138,⁶ the Hebrew term, in combination with *hated*, in Isaiah, 60, 15, and the Aramaic, in the formula of divorce quoted in Mishnah, Gittin, 9, 3, where the bill of divorce is referred to as *iggetet šē buḳin* (letter of abandonment).⁷

Finally, the provision "My eldest son is thine eldest son" cannot but mean that even if the husband divorces his wife and marries another woman, the first-born son of the first wife, and not that of the second wife, shall be deemed the first-born son of the husband with respect to the right of inheritance. This, it will readily be seen, is but a paraphrase of Deut. 21, 16-17, quoted above.

Another Demotic marriage contract which bears several marks of a close relationship with Jewish sources, this time post-Biblical, is one dated in the year 176 B.C. This document reads, in part, as follows:

"Hath said X to Y 'Thou hast given me 50 silver (pieces) of the treasury of P'tah refined . . . it is thou who shalt be entitled to the security (?) of thy bread and clothing, and it shall be at my charge, and I will give it thee without being able to say to thee 'Receive thy endowment.' On the day when thou preferrest to receive it, I will give it to thee on it. Everything that I have or shall acquire (is) the pledge of thy endowment.'"⁸

³ The English translation of all the passages from the Bible quoted in this article is taken from the version of the Jewish Publication Society.

⁴ A. Cowley, *Aramaic Papyri of the Fifth Century B.C.*, p. 28.

⁵ Staerk's *Die jüdisch-aramäischen Papyri* not being available to the writer, he does not know whether the reference is to the Demotic document quoted in the text of this article, or to some other 4th century Demotic document.

⁶ See also M. Schorr, *Urkunden des altbabylonischen Zivil- und Prozessrechts*, p. 522.

⁷ See M. Jastrow, *A Dictionary of the Targumim etc.*, p. 1516b. Danby, *The Mishnah*, p. 319, renders this term somewhat less precisely as "letter of dismissal."

⁸ H. Thompson, *A Family Archive from Siut*, p. 25.

There are several clauses in this document which correspond to the Jewish *ketubah* (marriage settlement). In the first place, the amount of 50 silver (pieces) corresponds to the amount of 200 zuz = 50 shekel prescribed in Mishnah, Ketubot, 1, 2, as the marriage settlement for a virgin. This amount is based upon the Biblical *mohar*, which was likewise 50 shekel.⁹ Secondly, the husband's obligation to furnish food and clothing to the wife has an exact counterpart in Talmudic sources, where it is said to be based on Exod. 21, 10. (See below.) Thirdly, the clause in which the husband pledges all his property for the wife's endowment has a close parallel in the Talmud. Indeed, this clause can hardly be understood without the aid of the Talmudic parallel. What is meant by the provision that the husband shall not be able to say to the wife "Receive thy endowment?" What would be the purpose of the husband's saying so? What possible end could the husband accomplish by forcing upon his wife payment of the endowment before she demanded it. The answer to these questions is found in a Talmudic passage which purports to relate the history of the Jewish *ketubah*, and which reads as follows:

"At first they used to give merely a written undertaking in respect of the *ketubah* of a virgin for two hundred zuz and in respect of that of a widow for a *maneh*, and consequently they grew old and could not take any wives. It was then ordained that the amount of the *ketubah* was to be deposited in the wife's father's house. At any time, however, when the husband was angry with her he used to tell her, 'Go to your *ketubah*.' It was ordained, therefore, that the amount of the *ketubah* was to be deposited in the house of her father-in-law . . . Still, whenever the husband had occasion to be angry with his wife he would say to her, 'Take your *ketubah* and go.' It was then that Simeon b. Shetah ordained that the husband must insert the pledging clause, 'All my property is mortgaged to your *ketubah*.'" ¹⁰

From this passage it appears that the pledging clause was introduced in order to prevent quick divorce by the husband in a fit of anger. When the amount settled by the husband upon the wife is kept as a trust fund and is readily available, it is always easy for the husband to refer the wife to the fund and dismiss her. However, when the husband, instead of laying aside a trust fund for the wife, assumes an obligation towards her and pledges his property therefor, he cannot easily dismiss her, for it is not always easy for him to raise the cash necessary to discharge the obligation and free his property from her lien. Accordingly, in the Demotic document quoted above, the husband in effect says to the wife: "I shall not be able to dismiss you by saying

⁹ See Exod. 22, 15-16; Deut. 22, 29.

¹⁰ Babylonian Talmud, Ketubot, II (The Soncino Press, London, 1936), pp. 520-521.

'Take your endowment and go'; all my property is pledged for your endowment."

It should be noted that on the whole the Demotic document under discussion seems to confirm the Talmudic tradition relating to the development of the Jewish marriage settlement, though in one point, that ascribing the introduction of the pledging clause to Simeon b. Shetah (1st century B.C.), this tradition seems to be inaccurate. The pledging clause was apparently introduced in the Jewish *ketubah* long before the time of Simeon b. Shetah.

We now come to a consideration of some marriage contracts from Egypt written in Greek. Three such marriage contracts of the pre-Augustan era — P. Eleph. 1 (311 B.C.), P. Gen. 21 (2nd century B.C.) and P. Tebt. 104 (92 B.C.) — contain a provision to the effect that it shall not be lawful for the husband to marry another wife or to have children by another woman. In P. Eleph. 1, lines 8–9, for example, this provision reads: *μη ἐξέστω δὲ Ἡρακλείδῃ γυναῖκα ἄλλην ἐπεισάγεσθαι ἐφ' ὕβρει Δημητρίας μηδὲ τεκνοποιεῖσθαι ἐξ ἄλλης γυναίκος* Taubenschlag,¹¹ relying upon these papyri, states: "... the express prohibition of polygamy in many Greek marriage contracts of the pre-Augustan era must be regarded as proof that even Greek parties were not legally forbidden to practice polygamy." But the question arises: from whom did the Greeks in Egypt adopt the practice of legal polygamy, which was unknown in their homeland? One might be inclined to say that this practice, together with the express provision in the marriage contract prohibiting it, was adopted by the Greeks from the Egyptians. However, the question of whether or not the practice of polygamy was permissible among the ancient Egyptians is itself a debatable one.¹² Besides — and this is of decisive importance for the solution of the problem of the origin of the provision under discussion — none of the available Demotic marriage contracts contains anything even remotely resembling such a provision.

¹¹ R. Taubenschlag, *The Law of Greco-Roman Egypt in the Light of the Papyri*, p. 78.

¹² In support of the opinion that polygamy was permissible in ancient Egypt, Taubenschlag (op. cit. p. 78, n. 4) cites Erman (*Z. f. äg. Spr.* XXX, 63) to the effect that the secondary wife was called in ancient Egypt *hated* (*msddt*) and that in Rabbinic literature the secondary wife was called *enemy*. With respect to *enemy*, there are two inaccuracies in Erman's assertion. First, the term *ṣarah*, which he undoubtedly had in mind, does not mean *secondary wife*, but *rival*. When a man has two wives, one is the *ṣarah* (rival) of the other. Secondly, the word *ṣarah* in this sense is also Biblical, not only Rabbinic. It occurs in I. Sam. 1, 6. With respect to the term *hated*, as applied to a wife in ancient Egypt, it seems, in view of the evidence discussed in the text of this article, that its correct meaning is *divorced*, not *secondary*.

The solution of the problem of the origin of the provision in question in the Greco-Egyptian marriage contracts is furnished by the Aramaic papyri stemming from the Jewish military colony in Elephantine. Two of these papyri, representing marriage contracts dated 441¹³ and 420¹⁴ B.C., respectively, contain a provision which is almost identical with that of the Greco-Egyptian marriage contracts. In the first one of these papyri, it reads: "And I shall have no right to say I have another wife besides Miphtahiah and other children than the children whom Miphtahiah shall bear to me." It is quite apparent that this provision, in both of its parts, that relating to marrying another woman and that relating to having children by another woman, is substantially the same as that quoted above from P. Eleph. 1. That such similarities do not occur by chance hardly needs to be said.

Another provision in the above-mentioned Greco-Egyptian marriage contracts which bears a striking resemblance to Jewish law and practice on the subject is that in which the husband undertakes to supply the proper necessities to the wife. In P. Eleph. 1, this provision reads: *παρεχέτω δὲ Ἡρακλείδης Δημητρίαι ὅσα προσήκει γυναικὶ ἐλευθέραι πάντα*. In the other two Greek papyri mentioned above the provision in question is more elaborate. In P. Tebt. 104 it reads: *τὰ δὲ [δ]έοντα π[ά]ντα καὶ τὸν [ἰμ] ατισμὸν καὶ τὰλλα ὅσα προσήκει γυναικὶ γαμετῇ παρεχέσθω Φιλίσκος Απολλωνίαν*. . . . This is in close agreement with Talmudic law on the subject of the husband's obligations towards his wife. These obligations are derived by the Tannaim¹⁵ from that part of Exod. 21, 10, which reads: "her food, her raiment, and her marriage duty shall he not diminish." There are three items in this passage — *food, raiment, and marriage duty* — the last item, having reference to intimacy between husband and wife. When we examine closely the provision just quoted from P. Tebt. 104 it appears that there too three items are enumerated, namely, *necessaries, clothing, and whatever else is proper for a wedded wife*. The last item is apparently a veiled allusion to intimacy between hus-

¹³ A. Cowley, op. cit. no. 15, lines 31-33. The similarity between this provision in the Aramaic papyrus and the corresponding provision in P. Tebt. 104 has already been noted by Cowley at p. 50.

¹⁴ To be published by Prof. Emil G. Kraeling. Prof. Kraeling was good enough to allow the writer to inspect this and the other Aramaic papyri in the Brooklyn Museum collection, which he is preparing for publication.

¹⁵ See Babylonian Talmud, Ketubot, 47b; Mekilta de Rabbi Ishmael (ed. Lauterbach), v. 3, p. 27. In accordance with the Talmudic interpretation of Exod. 21, 10, the standard form of the Jewish *ketubah* contains a clause enumerating the three items of marital duty. See Maimonides, Mishneh Torah, Ybbum Ve-Ḥaliṣah, 4, 33. For an English translation of this form, see McClintock and Strong, Cyclopaedia of Biblical, Theological and Ecclesiastical Literature, v. 5, p. 776.

band and wife. There is thus a striking similarity between this provision and Exod. 21, 10, as traditionally interpreted in Jewish law. This similarity becomes a virtual identity when we compare the provision in question with Exod. 21, 10, as rendered by the LXX. The Hebrew *š'ê ʿera* is rendered as τὰ δέοντα, *k^e sutah* is rendered as τὸν ἱματισμὸν, and *ve-ónatah* is rendered as καὶ τὴν ὁμιλίαν αὐτῆς.

What are the conclusions to be drawn from all of the above parallelisms? There are, of course, three possibilities, namely: 1. That these parallelisms are due to the fact that both Egyptian and Jewish jurists and scribes derived their legal rules and formulae from a common source. 2. That the Jews copied from the Egyptians. 3. That the Egyptians copied from the Jews. The writer believes that, upon the evidence, the last possibility is the one that is indicated. He has been led to this belief by the following considerations:

1. The Book of Deuteronomy preceded the fourth century B.C. marriage contract from Egypt, quoted above, by several centuries, and during these centuries there is apparently nothing in Egyptian marriage contracts resembling the clauses of this contract.

2. The provision in the Aramaic marriage contracts stemming from the Jewish military colony in Elephantine concerning the husband's marrying another woman and having children by another woman preceded the similar provision in the Greek marriage contract of 311 B.C., also from Elephantine, by over a century, and no such provision appears in Demotic marriage contracts of any period. As is well known, the practice of polygamy was legally permissible among the Jews during the Biblical period and after. A special provision in the marriage contract prohibiting such practice was therefore in order. To this day, among Oriental Jews, who do not recognize the post-Talmudic ban against polygamy known as the *herem de-Rabbenu Gershom*, a special provision against the practice of polygamy by the husband is usually inserted in the *ketubah*.

3. The LXX translation of the difficult passage in Exod. 21, 10 is, as indicated above, entirely in agreement with the tannaitic interpretation of this passage. It would be straining one's imagination to the extreme to say that the authors of the LXX seized upon a formula that was being used by Greek scribes in drawing up marriage contracts in order to render the passage in question into Greek, and that thereafter this rendering became the traditional Jewish interpretation of the passage. It is far more reasonable to suppose that Jewish scribes in Egypt, in drawing up marriage contracts in the Greek language, inserted into these contracts a clause concerning the husband's duties

towards his wife which was based upon Exod. 21, 10, as rendered by the LXX, and that this clause was later copied by non-Jewish scribes.

In any event, the possibility that the parallelisms noted above are the result of mere chance need not be considered at all. Whatever the precise conclusion to be drawn from them, these parallelisms are certainly significant and should not be ignored by students of the history of the Jewish people during the two or three centuries that preceded the Christian Era.

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THE DATE OF TATIAN'S ORATION

Various dates have been given for Tatian's Oration to the Greeks, ranging from 152 to 172. None of these dates is correct, since the treatise was written after the year 176, perhaps in 177 or 178.

In the spring of 175 the Roman empire was shaken by the almost accidental revolt of Avidius Cassius, governor of Syria. Acting on the rumor that Marcus Aurelius had died, the governor proclaimed himself emperor. Egypt joined Cilicia, Syria, and Judaea; but the revolt was crushed in little more than three months. The emperor promised clemency (coins of the following year mention *Clementia Aug.*) and kept his promise. He then made a journey to the east with the empress Faustina and their son Commodus, passing through Syria but avoiding Antioch, the center of the revolt. Early in 176, after wintering in Alexandria, they visited Antioch and went on to Cappadocia, where Faustina's sudden death was followed by a magnificent funeral. The emperor and his son then traveled to Smyrna and finally to Athens, where Aurelius was initiated at the Eleusinia and endowed four chairs of philosophy with salaries of 10,000 drachmae each. About the beginning of November they returned to Rome, where a triumph was held and Commodus was named emperor on November 27. Another triumph was held for Commodus on December 23. In the year 177, perhaps in July or August, the Christian world was shaken by news of the tortures and executions of a group of martyrs at Vienne and Lyons in Gaul. It is not unlikely that earlier in the year, on February 23, there had been several martyrdoms at Smyrna.¹

This crisis provoked a small outburst of literary apologetic. First of all, perhaps, there is the Martyrdom of Polycarp, addressed by the church of Smyrna to the church of Philomelium in Phrygia. Then there is certainly the letter addressed by the churches of Vienne and Lyons to the brethren in both Asia and Phrygia.² Next there is the Legatio of Athenagoras, which G. Bardy has shown must be dated in the year 177.³

¹ On the date cf. H. Grégoire-P. Orgels in *Anal. Boll.* 79 (1951), 1-38. W. Telfer, in *JTS N. S.* 3 (1952), 79-83, prefers the year 168, chiefly on the ground that Polycarp had heard John and others who had seen the Lord. But if, as Dr. Telfer suggests, Polycarp was "nearing a hundred," the year 177 cannot be excluded; and Irenaeus (*Adv. haer.* v. 33. 4) calls Papias a "hearer of John," although it is almost certain that he was not a hearer of the apostle. Cf. F. Wotke in *RE XVIII* 2, 969-70.

² Eusebius, *H. E.* v. 1. 3.

³ Athénagore (Paris, 1943), 12-16.

Tatian's Oration to the Greeks comes from approximately the same time. It is written after 172/173, for in Orat. 23, 2 he refers to Aurelius' recruiting of robbers from Dalmatia and Dardania for the Roman army.⁴ It is written after late 176, for in Orat. 19, 1 he refers to philosophers who receive a salary of 600 aurei from the Roman emperor.⁵ It is probably written late in 177 or early in 178, for in Orat. 6, 2 he refers to the resurrection which will take place even though flesh is destroyed by fire, consumed in rivers or seas, or torn apart by wild beasts. The bodies of the martyrs of Vienne and Lyons, some of whom were torn by wild animals, were burned and the ashes were swept into the river Rhone, which flows into the sea.⁶ The provocation of persecution explains the tone of Tatian's treatise, in which he vehemently attacks everything Greek or Roman. And his bitter criticism of philosophers may be due to his realization that the presentation of Christianity as the true philosophy (cf. Justin and Melito) has ended in a persecution by the philosopher-emperor. He must know that "the most marvelous Justin" (Orat. 18, 2) was condemned to death by the prefect Rusticus, who had taught Stoic philosophy to the emperor.⁷

One may have wondered why we possess so many apologies (Melito, Athenagoras, Tatian, Theophilus) from the later years of Marcus Aurelius and the early years of Commodus. The date of Melito's apology is difficult to determine, but it may come from late in 176 (perhaps after November 27) or early in 177 (perhaps before February 23), before the storm has broken. New decrees are vexing the Christians of Asia but apparently no martyrdoms have as yet occurred. Melito expresses his approval of the empire and the emperor, and his hopes for the reign of Aurelius "with the boy," presumably Commodus.⁸ In 177 the storm breaks and both Athenagoras and Tatian express their reactions to it. By 181 or 182 the storm is over, and while Theophilus points out in his third book to Autolycus that some persecutions still continue, he inserts (out of context) in his first book an expression of Christian loyalty to

⁴ Cf. SHA Marcus xxi. 6-7.

⁵ At this point the teachers' 10,000 drachmae (Lucian, Eun. 3; Philostratus, Vit. soph. p. 566 Boissonade) would be exchangeable at 16 2/3 dr. to the aureus, compared with the normal value of 25 to 1 (Lucian, Pseudolog. 30; Dio Cass. iv. 12. 4). Perhaps, however, there is a textual error and we should read T (400) instead of X (600).

⁶ Eusebius, H. E. v. 1. 62.

⁷ Cf. M. Aurelius, Medit. i. 7.

⁸ Frag. I Goodspeed (pp. 307-8); Eusebius, H. E. iv. 26. 5-11.

the emperor.⁹ It may be significant that he writes from Antioch, the center of Avidius Cassius' revolt; Tertullian claims, fifteen years later, that Christians had not participated in it.¹⁰

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⁹ Ad Autol. iii. 30; i. 11.

¹⁰ Apol. xxxv. 9; Ad Scap. 2.

THE PRO CAELIO IN ST. JEROME'S LETTERS

The Pro Caelio is certainly, as an editor describes it, one of Cicero's most brilliant and entertaining orations.¹ If separate editions have been few and if the Pro Caelio is less well known than some other speeches, the explanation lies not in the oration's merits but in the fact that the reading of teachers is to some extent determined by what has been thought proper for schoolboys. In antiquity, in any event, the oration seems to have been highly regarded; it is quoted by Petronius, Aulus Gellius, and Fronto, and a number of times by Quintilian. Moreover, writers of the fourth century and later, notably St. Augustine, also show some acquaintance with it.²

St. Jerome, as would be expected in one so thoroughly Ciceronian, is among those who were familiar with the oration, and several reminiscences of it have been noted in his letters.³ However, Hilberg in his standard edition of the letters in the Vienna Corpus does not include one citation of the Pro Caelio among all the quotations, reminiscences, and parallels listed in his apparatus, and many additions can be made to the few passages identified by other scholars as showing the influence of the

¹ R. G. Austin, *M. Tulli Ciceronis pro M. Caelio oratio* (Oxford 1933), the only English edition and an excellent one. Other works which will be cited by editor or author are three editions of the letters: Migne, PL 22 (a reprint of the edition of D. Vallarsi); I. Hilberg, CSEL 54-56 (Vienna 1910-1918); J. Labourt, *Saint Jérôme: Lettres* (Paris 1949-), the second volume of which, published in 1951, ends with Ep. 52 (ed. Budé); and C. Kunst, *De S. Hieronymi Studiis Ciceronianis, Dissertationes Philologicae Vindobonenses*, 12 (1918) 109-219. E. Luebeck, *Hieronymus quos noverit scriptores et ex quibus hauserit* (Leipzig 1872) contains no reference to the Pro Caelio. It would serve little purpose to give a more general bibliography; one has recently been drawn up by G. L. Ellspermann, *The Attitude of the Early Christian Latin Writers Toward Pagan Literature and Learning*, Catholic University of America Patristic Studies, 82 (1949) xx-xxiii, xxvi-xxvii. Of particular value is A. S. Pease, "The Attitude of Jerome towards Pagan Literature," TAPA 50 (1919) 150-167. A second edition of Austin's work (1952) became available to me only when this note was already in proof. My references are to the first edition. Austin now notes the echo of Pro Caelio 12 in Ep. 125.18.3 (my no. 14) and also compares Pro Caelio 19 and other Ciceronian passages with Ep. 20.2.1 (the contrast of *rivulus* and *fons*).

² See Austin, 129-131; for later writers, see C. Weyman, WS 17 (1895) 317 and Austin, 62-63. Austin's conclusion, "It looks as if S. Augustine popularized the speech . . ." seems to go rather too far in view of the wide acquaintance with it among his contemporaries. Because of the rarity of Latin literary texts from Egypt, it may be worth noting that Pro Caelio 26-55 is preserved in a fragmentary papyrus codex from Oxyrhynchus; R. A. Pack, *The Greek and Latin Literary Texts from Greco-Roman Egypt* (Ann Arbor 1952) 95, no. 2283.

³ Earlier suggestions of reminiscences are listed below, following the citation of parallel passages (nos. 2, 8, and 9). It has not seemed worth while to go beyond the works named in n. 1 in order to discover who first made the suggestion.

speech. Quite obviously similar phrasing need not involve a reminiscence of any kind, conscious or unconscious, and some of the parallel passages which will be cited may involve no such connection. It is also very probable that I have missed other passages which should be included here. But with all due allowance for such error, it would still appear that the Pro Caelio is more often echoed and imitated in Jerome's Letters than any of Cicero's other orations.⁴ Quite possibly both the substance and the manner of the attack on Clodia and her circle made it peculiarly congenial to his mind and useful as a model.

In presenting the passages in which reminiscences seem to occur I shall follow the order of the letters.⁵

1. Ep. 7.4.1: *scitis ipsi lubricum adulescentiae iter, in quo et ego lapsus sum . . . hoc illa . . . ingrediens . . .*

Pro Caelio 41: (*natura*) *multas vias adulescentiae lubricas ostendit quibus illa insistere aut ingredi sine casu aliquo ac prolapsione vix posset.*

The figure is a common one. The letter, however, contains several reminiscences of pagan authors, and the number of those from the Pro Caelio elsewhere in the collection makes a connection possible. Cf. nos. 11 and 13, where the figure is used again.

2. Ep. 14.10.1: *sed quoniam e scopulosis locis enavigavit oratio . . .*

Pro Caelio 51: *sed quoniam emersisse iam e vadis et scopulos praetervecta videtur esse oratio mea . . .*

Noted by Labourt, Austin, and Kunst 179. Jerome may also have had a similar passage from Tusc. 4.14.33 in mind. There are quotations from Virgil, Persius, and Horace in the letter.

3. Ep. 40.2.2: *quicquid dictum fuerit, in te dictum putas.*

Pro Caelio 50: *ne sint haec in te dicta quae dixi.*

The letter contains a quotation from the Aeneid, and at 2.3, just following this passage, Kunst 185 suggests that Jerome is using Pro Cluentio 123. But of course Jerome was quite capable of writing such a sentence without a model. Cf. also Ep. 32.1.3: *. . . putes tibi quoque scripta esse, quae scripta sunt.*

4. Ep. 45.4.1: *Baias peterent, unguenta eligerent, divitias et viduitatem haberent, materias luxuriae et libertatis, domnae vocarentur et sanctae.*

Pro Caelio 27: *. . . qui nullum convivium renuerit, qui in hortis fuerit, qui unguenta sumpserit, qui Baias viderit.*

There would seem to be a direct verbal imitation, though needless to say this makes the difference between Cicero and Jerome in attitude and manner the more striking. Baiae was still frequented, but its appearance here, if Jerome means the city, is perhaps a piece of literary antiquarianism, as for instance would be the naming of Bath in a similar context today. Baiae, however, had come to be used for bathing resorts in general.⁶ It should be noted that Jerome's teacher

⁴ No other oration is cited more than once or twice in Hilberg's apparatus.

⁵ It may be useful to list the same passages according to sections of the oration: Pro Caelio 6 and 30 = Epp. 50.5.1, 50.5.5, 57.4.1; 12 = 60.7.3; 12 = 125.18.3; 18 = 127.5.2; 21 = 49.14.1; 27 = 45.4.1; 29 = 108.13.6; 36 = 50.5.5; 38 = 127.3.1; 41 = 7.4.1, 79.7.5, 125.1.4; 50 = 40.2.2; 51 = 14.10.1; 67 = 50.5.4; 69 = 60.10.5.

⁶ For the resort see L. Friedlaender, *Darstellungen aus der Sittengeschichte Roms* I¹⁰ (Leipzig 1922) 407-410. Cf. also Augustine, *Contra Acad.* 2.2.6: *ille et baias et amoena pomaria et delicata nitidaque convivia . . . abiciens . . .*

Donatus quotes this passage, ad Ter. Hec. 551. Cf. also Ep. 50.3.2: . . . *ut balneas adeant . . . unguenta non spernant?*

5. Ep. 49.14.1: . . . *sicut viri fortes in controversiis solent facere . . .*

Pro Caelio 21: . . . *faciunt quod viri fortissimi solent; laesi dolent, irati efferuntur, pugnant lacessiti.*

Viri fortes is of course a very common combination, but the two passages have much the same tone. The letter (to Pammachius) is crowded with quotations and reminiscences from Cicero, Virgil, Persius, Plautus, and Terence.

6. Ep. 50.5.1: *contra quemlibet passim in triviis strepere et congerere maledicta, non crimina, scurrarum est et paratorum semper ad lites.*

Ep. 50.5.5: *porro, si non vult scribere et tantum maledictis agendum putat*

. . . .

Pro Caelio 6: . . . *non criminibus sed vocibus maledictisque celebratum est*

. . . .

Pro Caelio 30: *omnia sunt alia non crimina sed maledicta, iurgi petulantis magis quam publicae quaestionis.*

One might not suspect a reminiscence except that this letter (to Domnio) is full of literary allusions and quotations, including two others from the Pro Caelio. See also Ep. 57.4.1: . . . *maledicta non crimina sunt . . .*

7. Ep. 50.5.4: *tunc intelleget aliam vim fori esse, aliam triclinii; non aequae inter fusa et calathos puellarum et inter eruditos viros de divinae legis dogmatibus disputari.*

Pro Caelio 67: *quam volent in conviviis faceti, dicaces, non numquam etiam ad vinum deserti sint, alia fori vis est, alia triclini; alia subselliorum ratio, alia lectorum; non idem iudicum commissatorumque conspectus; lux denique longe alia est solis, alia lychnorum.*

Aside from the direct borrowing, the whole passage seems to have served as a model. Austin 104 cites a less exact quotation in Fortunatianus (Halm, Rhet. Lat. Min. p. 124): *aliud fori lumen est, aliud lychnorum.*

Ep. 50.5.4, . . . *ut me solum in invidiam vocet*, may also echo Pro Caelio 29.

8. Ep. 50.5.5: . . . *volo omnes, qui propter nocturnos forsitan metus soli cubitare non possunt, uxores ducere.*

Pro Caelio 36: . . . *qui te amat plurimum, qui propter nescio quam, credo, timiditatem et nocturnos quosdam inanis metus tecum semper pusio cum maiore sorore cubitabat.*

Jerome's source is identified in Migne and by L. Laurand.⁷ Hilberg and Labourt cite Cant. 3.8, where the phrase *propter timores nocturnos* is found.⁸ Cf. also Ep. 44.3: . . . *licet et propter nocturnos metus . . .* Cicero's *pusio* is Clodius. It is interesting that Jerome in a rather grudging recognition of Christian marriage should imitate this passage with its innuendo of incest.

9. Ep. 60.7.3: . . . *et sicut hi, qui in brevi tabella terrarum situs pingunt, ita in parvo isto volumine cernas adumbrata, non expressa signa virtutum . . .*

Pro Caelio 12: *habuit enim ille, sicuti meminisse vos arbitror, permulta maximarum non expressa signa sed adumbrata virtutum.*

Noted by Austin and Kunst 135 n.3. The Ciceronian passage was known also by Ambrose and Symmachus (Austin 53).

10 Ep. 60.10.5: . . . *ut nullam obsceni in se rumoris fabulam daret . . .*

Pro Caelio 69: . . . *si illam commenticiam pyxidem obscenissima sit fabula consecuta?*

A reminiscence is perhaps made more probable by no. 9 in the same letter. Cf. also Hier. adv. Iov. 1.41 p. 308: . . . *nulla obsceni rumoris et pollutae virginitatis ullam fabulam dedit.*

⁷ Recherches de science religieuse 6 (1916) 166.

⁸ *Omnes tenentes gladios, et ad bella doctissimi; uniuscuiusque ensis super femur suum propter timores nocturnos.*

11. Ep. 79.7.5: . . . *quis in lubrica via lapsum non metuat?*

Pro Caelio 41: . . . *multas vias adulescentiae lubricas ostendit quibus illa insistere aut ingredi sine casu aliquo ac prolapsione vix posset.*

Cf. nos. 1 and 13.

12. Ep. 108.13.6: *dies me prius quam sermo deficiet, si voluero cuncta percurrere, quae Paula venerabilis fide incredibili pervagata est.*

Pro Caelio 29: *dies iam me deficiat, si quae dici in eam sententiam possunt coner expromere.*

The expression is too common to make a reminiscence at all certain. See ThLL 5.324 and 1045. But Pro Caelio 29 may also be imitated in Ep. 50.5.4; see above under no. 7.

13. Ep. 125.1.4: . . . *et adulescentiae, immo pubertatis, incentiva calcantem perfectae quidem aetatis gradum scandere, sed lubricum iter esse, per quod ingrederis . . .*

Pro Caelio 41: . . . *multas vias adulescentiae lubricas ostendit quibus illa insistere aut ingredi sine casu aliquo ac prolapsione vix posset.*

Cf. nos. 1 and 11.

14. Ep. 125.18.3: . . . *intus Nero, foris Cato, totus ambiguus, ut ex contrariis diversisque naturis unum monstrum novamque bestiam diceret esse compactam. . . .*

Pro Caelio 12: *neque ego umquam fuisse tale monstrum in terris ullum puto, tam ex contrariis diversisque atque inter se pugnantibus naturae studiis cupitibusque conflatum.*

Cicero is talking about Catiline; Jerome about Iovinianus (Grunnius). The passage in Jerome is followed by Lucretius 5.905, describing the Chimaera.

15. Ep. 127.3.1: *difficile est in maledica civitate . . . non aliquam sinistri rumoris fabulam trahere.*

Pro Caelio 38: *at fuit fama, quotus quisque istam effugere potest, praesertim in tam maledica civitate?*

The reminiscence is uncertain; e.g., *in tam . . . maledica civitate* occurs also in Pro Flacco 68. However, it should be observed that in this same letter (5.2) Jerome quotes from Ennius' Medea: *utinam ne in nemore Pelio* —, which Cicero used to such effect in Pro Caelio 18. It is a probable assumption that Jerome took the line from Cicero. Cicero's use of the passage is noted by Quintil. 1.8.11 and Fortunatianus (Halm, Rhet. Lat. Min. p. 124).

It is a fair conclusion, I believe, that many of the passages compared above involve a conscious reminiscence. Some of the phrases and combinations of words may well be part of the common stock of literary Latin of the time; others, even if ultimately drawn from the Pro Caelio, may have been so long a part of Jerome's vocabulary that he used them without being conscious of doing so. But some of the parallels (e.g. nos. 7, 8, 9, and 14) are so close or involve such striking language or associations that one must assume the imitation was deliberate.

A more difficult question is whether Jerome expected others to detect and appreciate these reminiscences, and it is one of some interest in forming an impression of the circles in which his letters were read. It should be noted that in none of the passages showing the influence of the Pro Caelio is the reminiscence pointed out to the reader by Jerome; in most of them of course *ut ait Cicero* or any such phrase would hardly

have been in place. One might doubt perhaps whether Jerome's contemporaries would detect Ciceronian phrases which generations of modern editors have not noticed. Still, it is certain that many of them were very well acquainted with Cicero⁹ and had read the *Pro Caelio*, and it is significant that literary allusions are most numerous in letters addressed to men who might be expected to appreciate them.¹⁰

In conclusion, a passage from *Contra Rufinum* 1.30 pp. 486-87 may be quoted, which is of interest in several ways. Jerome is defending himself against the charge of being too devout a Ciceronian¹¹ by returning the same charge: *unde tibi tanta verborum copia, sententiarum lumen, translationum varietas, homini, qui oratoriam vix primis labris in adolescentia degustasti? aut ego fallor, aut tu Ciceronem occulte lectitas*. One may compare *Pro Caelio* 28: . . . *non modo qui primoribus labris gustassent genus hoc vitae . . . sed qui totam adolescentiam voluptatibus dedidissent . . .*; and 45: *audistis . . . genus orationis, facultatem, copiam sententiarum atque verborum. . .* It would be interesting to know whether there was a deliberate reminiscence here.¹²

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⁹ It is hardly necessary to stress the knowledge of Cicero's writings among educated men in the western provinces; see e.g. T. Zielinski, *Cicero im Wandel der Jahrhunderte*⁴ (Leipzig/Berlin 1929) 87-130; H. I. Marrou, *Saint Augustin et la fin de la culture antique* (Paris 1938) 6, 19-26.

¹⁰ P. Courcelle notes the more extensive use of Greek in letters addressed to such men as Pammachius and Domnio, citing *Epp.* 49 and 50; *Les lettres grecques en occident de Macrobe à Cassiodore* (Paris 1943) 41. The whole section on Jerome (pp. 37-115) is of great value.

¹¹ The controversy between Rufinus and Jerome of course involved a great many complicated issues, including the famous vision in which he was charged with being a Ciceronian, not a Christian (*Ep.* 22.30) and his subsequent renunciation of secular authors. For a recent summary of opinions on the importance of the dream and its influence on Jerome's studies see Labourt, I 167.

¹² *Primoribus labris*, etc., however, was a common, proverbial expression; see A. Otto, *Die Sprichwörter und sprichwörtlichen Redensarten der Römer* (Leipzig 1890) 181-182. It should be noted too that Jerome was certainly not trying to conceal his erudition in this work.

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